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

DEVELOPMENT REVIEW COMMISSION
STAFF REPORT

VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Economic Development Department records, Commissioner Vickstrom 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **October 4, 2017, at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.:	17-33000015	PLAT SHEET: D-12
REQUEST:	Approval of a Vacation of an eight (8) foot by seventy-one (71) foot portion of Elm Street Northeast located immediately adjacent to the east of Lot 1, Snell & Hamlett's North Shore Addition Revised Replat Block 68, extending north from the east west alley in the block.	
OWNER:	Matthew & May Grecsek 756 18th Avenue Northeast Saint Petersburg, Florida 33704-4608	
ADDRESS:	756 18th Avenue Northeast	
PARCEL ID NO.:	17-31-17-83221-068-0010	
LEGAL DESCRIPTION:	On File	
ZONING:	Neighborhood Traditional-3 (NT-3)	

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate an eight (8) foot by seventy-one (71) foot portion of Elm Street Northeast located immediately adjacent to the east of Lot 1, Snell & Hamlett's North Shore Addition Revised Replat Block 68, extending north from the east west alley in the block.

The area of the right-of-way proposed for vacation is depicted on the attached maps (Attachments "A" and "B") and Sketch and description (Exhibit "A"). The applicant's goal is to build a concrete wall around their existing pool.

In 1987 a Resolution was approved granting a minor easement to allow the construction of a concrete deck and to allow an existing wooden deck to remain within the City Right-of-Way (see Attachment C). In 2017 the applicant applied to build a wall in the right-of-way, which would not have been allowed under the minor easement provisions of the resolution.

Analysis. Staff's review of a vacation application is guided by:

A. The City's Land Development Regulations (LDR's);
B. The City's Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant (Attachment D) **does** provide background or analysis supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

A. Land Development Regulations

Section 16.40.140.2.1E of the LDR's contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. *Easements for public utilities including stormwater drainage and pedestrian easements may be retained or required to be dedicated as requested by the various departments or utility companies.*

   This application was routed to the standard list of City Departments and private utility providers. There are no noted utilities in the portion of the right-of-way proposed for vacation.

2. *The vacation shall not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record as shown from the testimony and evidence at the public hearing.*

   The vacation will not have any affect upon access to any lot of record.

3. *The vacation shall not adversely impact the existing roadway network, such as to create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.*

   The vacation will not dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.

4. *The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.*

There is no need for this portion of the right-of-way for public vehicular access. The remaining right-of-way is sufficient to allow the 4-foot sidewalk width required by Section 16.40.140.4.2. - Sidewalks. There are no utilities within the portion of the right-of-way proposed for vacation.

5. *The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.*

   No other factors have been raised for consideration.

B. Comprehensive Plan

There are no policies in the City's Comprehensive Plan which apply to this request.

C. Adopted Neighborhood or Special Area Plans

There are no neighborhood or special area plans which affect vacation of right-of-way in this area of the City.

Comments from Agencies and the Public No calls were received from the public in response to the mailed notice. A letter of support was received from the Historic Old Northeast Neighborhood Association. This application was routed to the standard list of City departments and private utility providers and no one indicated the presence of facilities in this portion of the right-of-way.

RECOMMENDATION. Staff recommends **APPROVAL** of the proposed street right-of-way vacation. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Any existing or future construction and all vegetation shall comply with Section 16.40.160 – Visibility at Intersections: Sight Triangles. Any existing or future fence or wall construction shall comply with Section 16.40.040 - Fences, Walls & Hedges.

2. As required City Code Section 16.70.050.1.1 F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the commission designated in the Decisions and Appeals Table or, if appealed, by the City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one year. A completed application for Extension of Approval shall be submitted by the deadline for the DRC hearing prior to the expiration date. The vacation ordinance shall be recorded after any conditions precedent have been compiled with.

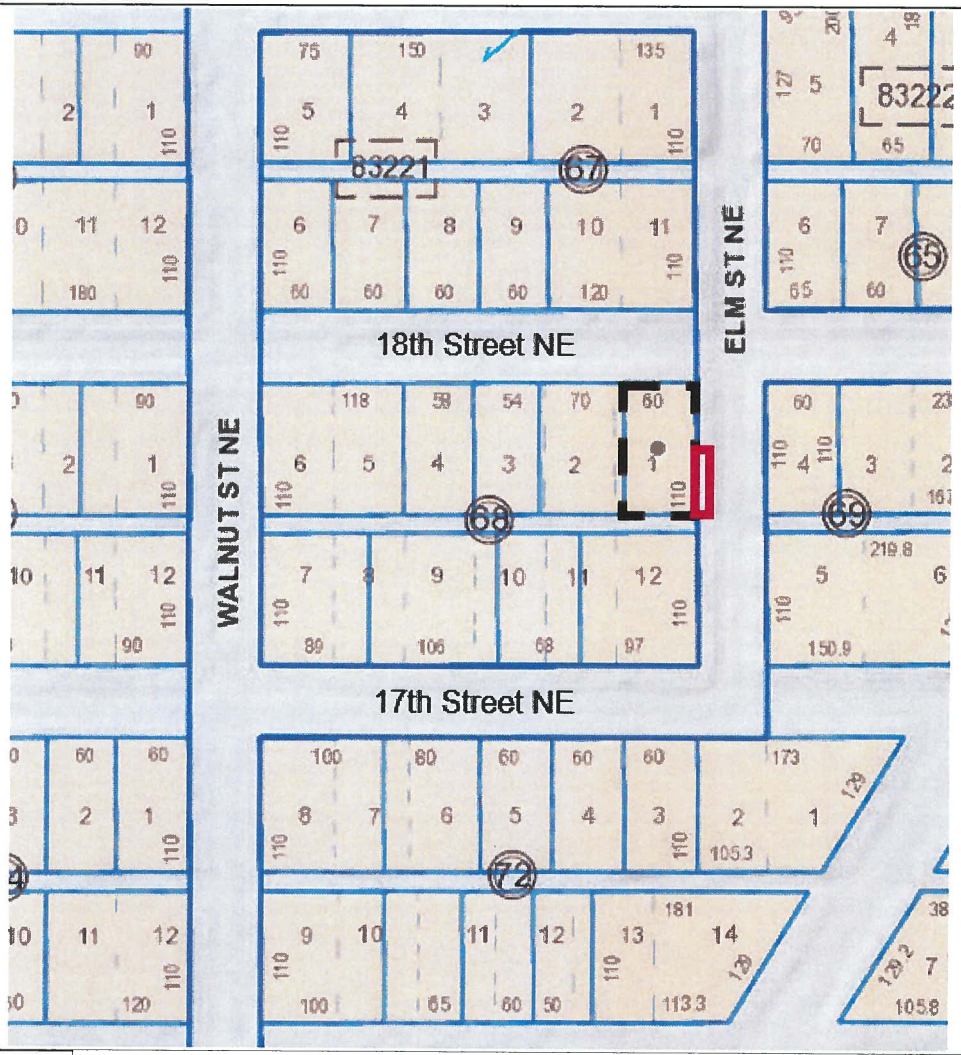
REPORT PREPARED BY:

KATHRYN A. YOUNKIN, AICP, LEED AP BD+C, Deputy Zoning Official — DATE 9/23/17
Development Review Services Division
Planning & Economic Development Department

REPORT APPROVED BY:

ELIZABETH ABERNETHY, AICP, Zoning Official (POD) — DATE 9-25-17
Planning and Economic Development
Development Review Services Division

Attachments: A – Parcel Map, B – Aerial Map, C – 1987 Minor Easement, D – Applicant's Narrative, E – Engineering Memorandum dated September 1, 2017, Attachment "A" – Sketch and Description



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Attachment A
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 17-330000015
Address: 756 18th Avenue Northeast

N

(nts)

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Attachment B
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 17-330000015
Address: 756 18th Avenue Northeast

N↑
(nts)

RETURN TO
CLERK of CITY COUNCIL
P. O. BOX 2042
ST. PETERSBURG, FL 33731

RECORDING
ACCT 100370
COSP 89178785 NO. 87-1J22
REC 15.00
FEES
MTF
PTG
P/C
DOC
INT
TOTAL 15.00

OR7047PG1671

A RESOLUTION GRANTING A MINOR EASEMENT TO ALLOW THE CONSTRUCTION OF A CONCRETE DECK AND TO ALLOW AN EXISTING WOODEN DECK TO REMAIN WITHIN CITY RIGHT-OF-WAY AT 756 - 18 AVENUE NE AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that a minor easement is granted to Paul C. Tash to allow for the construction of a concrete deck and to allow an existing wooden deck to remain within City right-of-way at 756 - 18 Avenue NE, as depicted on the attached diagram. The applicant will be responsible for any injury or damage caused by this structure and the maintenance of same. The applicant will remove said structure within thirty (30) days if so requested by the City of St. Petersburg.

BE IT FURTHER RESOLVED that any repair to this structure that may be required due to City maintenance of existing utilities will be the responsibility of the applicant.

BE IT FURTHER RESOLVED that all other applicable permits and approvals are the applicant's responsibility.

BE IT FURTHER RESOLVED that it is a condition of this easement that it may be terminated by the City at any time.

This resolution shall become effective immediately upon its adoption.

Adopted at a regular session of the City Council held on the 10th day of December, 1987.

KARLEEN F. DE BLANEY
CLERK OF CIRCUIT COURT
PINELLAS COUNTY FL
89 JUL 21 PM 2:38

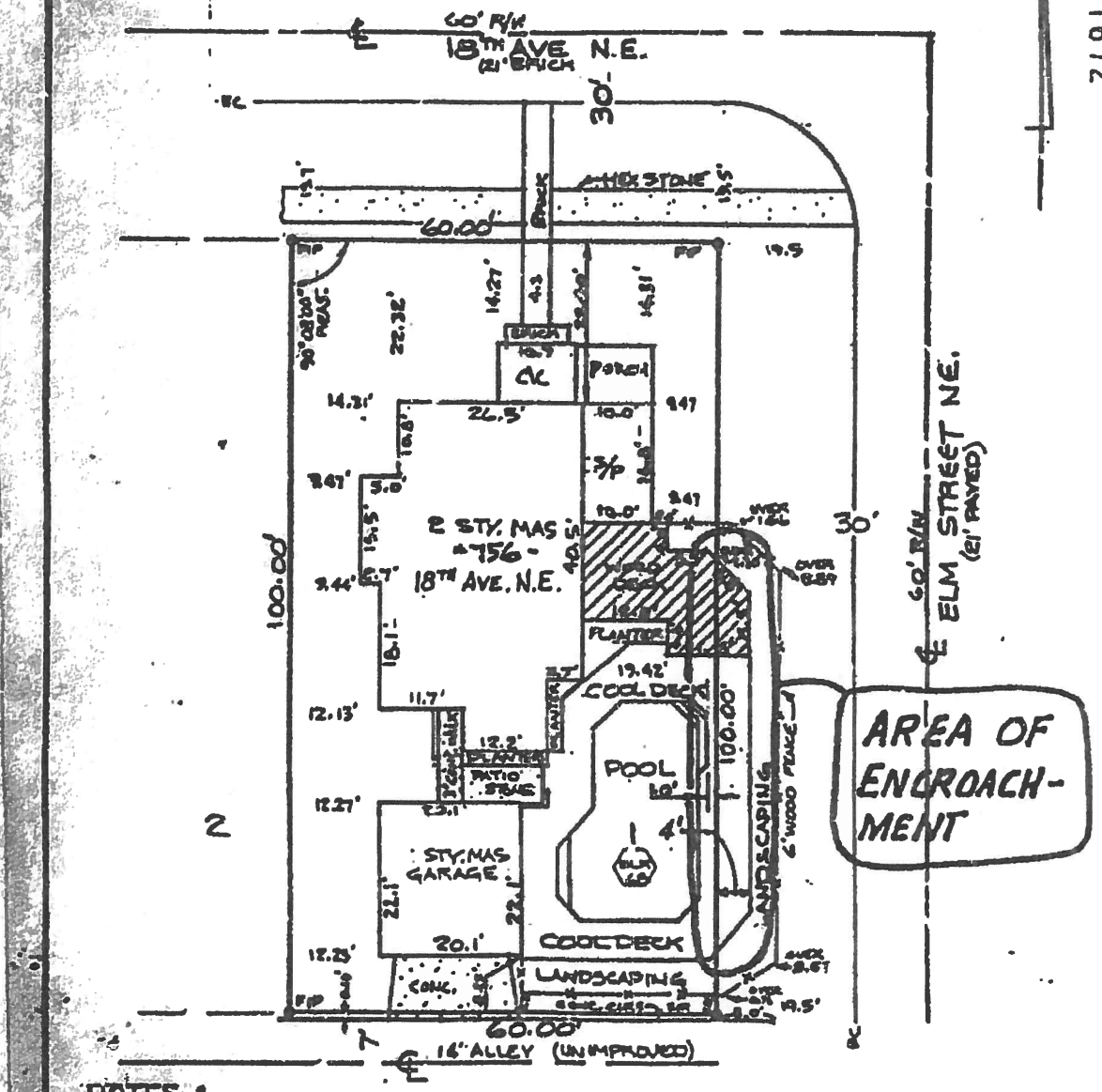
Mayor-Councilman
Chairman of the City Council

ATTEST: Brenda Swinden
Clerk of the City Council

Attachment C - Minor Easement and Backup Pg 1 of 5

RETURN TO
CLERK of CITY COUNCIL
P. O. BOX 2842
ST. PETERSBURG, FL 33731

OR7047PG1672



NOTES:

1. POOL IS WITHIN EXISTING 6-FOOT WOODEN PRIVACY FENCE.
2. THERE IS NO SCREEN ENCLOSURE.

10a.2

RETURN TO:
CLERK of CITY COUNCIL
P. O. BOX 2842
ST. PETERSBURG, FL 33731

OR7047881673

CERTIFICATE

I, Brenda J. Baird, do hereby certify that I am the Clerk of the City Council for the City of St. Petersburg, Florida, and as such officer have in my custody the original files and records of City Council and do further certify that the foregoing and attached is a true and correct copy of Resolution No. 87-1022,

A RESOLUTION GRANTING A MINOR EASEMENT TO ALLOW THE CONSTRUCTION OF A CONCRETE DECK AND TO ALLOW AN EXISTING WOODEN DECK TO REMAIN WITHIN CITY RIGHT-OF-WAY AT 756 - 18 AVENUE NE AND PROVIDING AN EFFECTIVE DATE.

Adopted at a regular session of the City Council held on the 10th day of December, 1987.

Given under my hand and the official seal of the City of St. Petersburg, Florida, this 19th day of July, 1989.

Brenda J. Baird
Clerk of the City Council
City of St. Petersburg, Florida

SAINT PETERSBURG CITY COUNCIL

Meeting of December 10, 1987

TO: MAYOR AND COUNCIL

SUBJECT: Resolution granting a minor easement to allow for the construction of an concrete deck and to allow an existing wooden deck to remain within City right-of-way at 756 - 18th Avenue Northeast.

EXPLANATION: Paul C. Tesh of 756 - 18t.. Avenue Northeast has requested a minor easement to allow for the construction of a concrete deck and to allow an existing wooden deck to remain within City right-of-way for the life of the structure at the referenced address.

The proposed concrete deck will extend 4 feet into the right-of-way of Elm street northeast for a distance of approximately 43 feet. The existing wood deck extends 4 feet into the right-of-way of Elm Street Northeast for a distance of approximately 8.5 feet.

The applicant will be responsible for any injury or damage caused by this structure and the maintenance of same. The applicant will remove said structure within thirty (30) days if so requested by the City of St. Petersburg.

Any repair to this structure that may be required due to City maintenance of existing utilities will be the responsibility of the applicant.

All other applicable permits and approvals are the applicant's responsibility.

Administration recommends approval of this minor easement.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

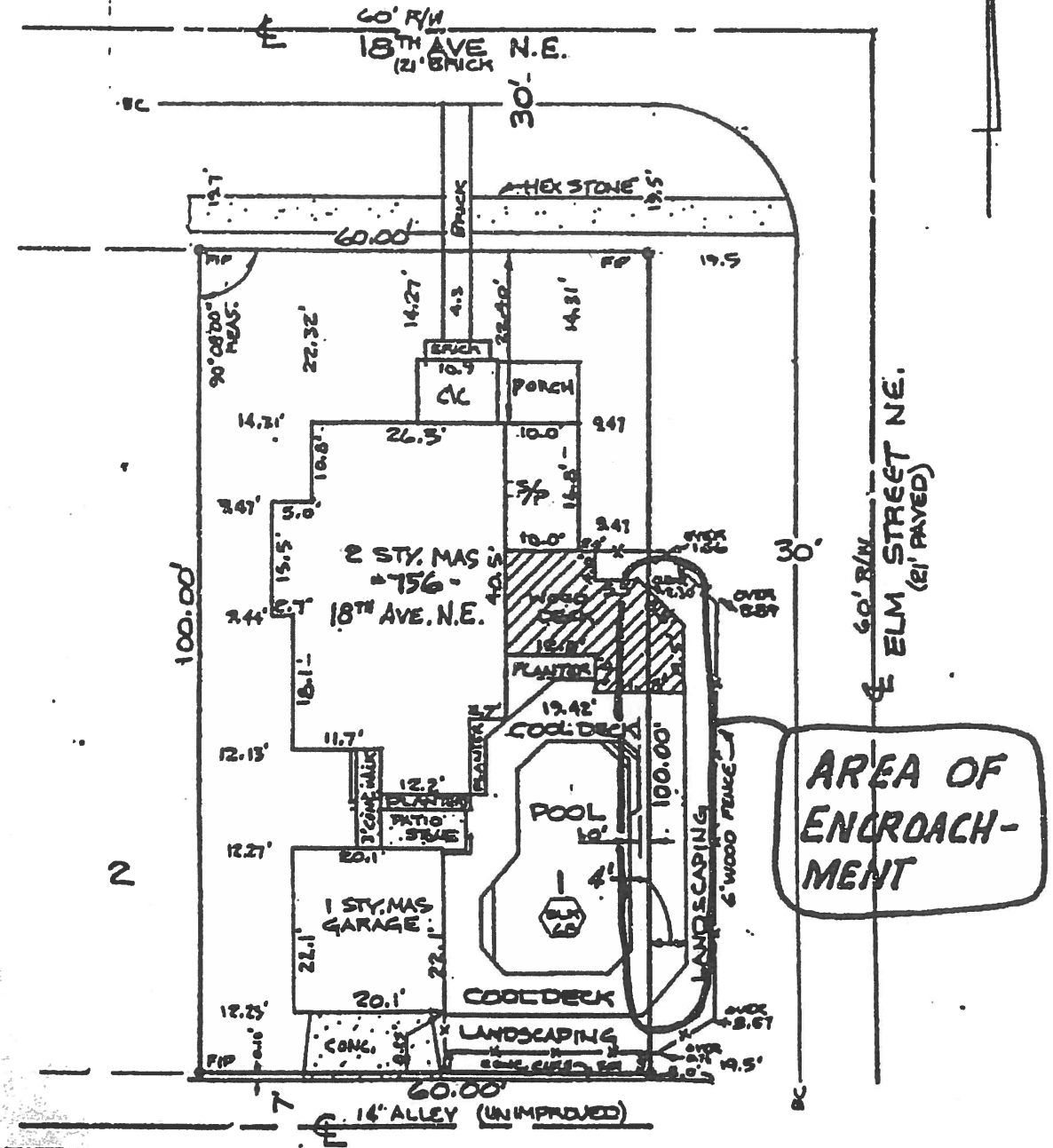
_____
City Manager

ATTACHMENT (s): 1

COUNCIL ACTION: _____

FOLLOW-UP _____ Agenda No. C 11

EN2



NOTES:

1. POOL IS WITHIN EXISTING 6-FOOT WOODEN PRIVACY FENCE.
2. THERE IS NO SCREEN ENCLOSURE.

Attachment D – Applicant's Narrative

17-33000015

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Pre-Application Meeting Notes

Meeting Date: October 4, 2017

Address/Location: 756 18th Ave NE, Saint Petersburg, FL 33704

Type of Application: Subdivision Decision Application – Vacation of Right of Way

Staff Planner: Elizabeth Abernethy, Kathryn Younkin, Dave Goodwin

Staff Contact Info: Elizabeth: 727-892-5344; Kathryn: 727-892-5958; Dave: 727-893-7868

Historic Old Northeast Neighborhood Association

Neighborhood Association(s)

Peter Motzenbecker: petermotz@aol.com / 727-269-5521

Neighborhood Association President Name(s) & Contact Info

Issues/Concerns: Homeowners are preparing for a public hearing to approve the City's vacation ordinance for eight (8) feet strip of land inside a pre-existing privacy fence in place for 40 years, and adjacent to a swimming pool and deck in place for 30+ years.

In January 2017, homeowners applied for a permit to change aging vinyl fence to a wall in keeping with other walls surrounding the property – and with respect to the block's Historic Designation. Despite Board of Appropriations approval and permits granted for pool and deck in 1986-87, the City asserted that a record of easement could not be found ***deeming homeowners pool and deck illegally located in a public right of way***. *Note: The City provided a copy of the missing easement on August 9, 2017. St. Petersburg Minor Encroachments, Article VII, Sec. 25-272 stipulates that a vacation (not an easement) is legally necessary for permanent structures to be built on public right of way.*

The proposed ordinance will correct the inequitable impairments discovered through the permitting process including, but not limited to the:

- legality of past permits
- questionable border re-allocation that deducted 8 feet land from original property
- tax assessments and property valuation relied upon by at least six (6) homeowners over 30+ years
- property taxes paid on improvements on the parcel by at least six (6) homeowners over 30+ years

After "extensive review and consideration" by City officials and "in consideration of the extraordinary circumstances" the City has agreed to support our application for Vacation of Right of Way. Homeowner proposed vacation of 8" parcel from alley to 18th Ave NE in conformance to "narrow rectangular lots" on Ordinance #286-H, Sec. 16.20-010. However, City guidance is to adhere to prior easement requirement limited to about 2/3 of original request.

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SUBDIVISION DECISION Application

Application No. 17-33000015

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):	May Grecsek and Matthew Grecsek
Street Address:	756 18th Ave NE
City, State, Zip:	Saint Petersburg, FL 33704
Telephone No: 415-577-2928	Email Address: mvebarle@yahoo.com
NAME of AGENT or REPRESENTATIVE:	
Street Address:	
City, State, Zip:	N/A
Telephone No:	Email Address:
PROPERTY INFORMATION:	
Street Address or General Location:	756 18th Ave NE, Saint Petersburg, FL 33704
Parcel ID#(s):	17-31-17-83221-068-0010
DESCRIPTION OF REQUEST:	Vacation ordinance for eight (8) feet strip of land located inside of privacy fence, pre-existing from at least 1986, East side of property Elm St, adjacent to pool and deck.
PRE-APPLICATION DATE: Aug 7, 2017	**PLANNER:** Abernethy, Younkin, Goodwin

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	$200.00	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:_____ Date:_____
*Affidavit to Authorize Agent required, if signed by Agent.

Typed name of Signatory:_____

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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: _____

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

Property Address: _____

Parcel ID Number: _____

Request: _____ N/A

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): _____

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): _____ _____
Printed Name

Sworn to and subscribed on this date

Identification or personally known: _____

Notary Signature: (Print): _____ Date: _____
Commission Expiration (Stamp or date):

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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: 756 18th Ave NE, Saint Petersburg, FL 33704 | **Case No.:**

Description of Request: Support the approval of the City's vacation ordinance for the 8 ft strip of land to the east side of our yard facing Elm St and located within fence that has been up for 30+ years. This approval is necessary so that our pool and deck are not deemed illegal. It also enables us to replace the aging vinyl fence with block fence to match the block fence on the N, S, and W side of house and is in keeping with historic designation.

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: 806 18th Ave NE
   Owner Name (print): Shanna Winters
   Owner Signature: Shanna Winters
2. Affected Property Address: 806 18th Ave NE
   Owner Name (print): Kendall Reid
   Owner Signature: Kendall Reid
3. Affected Property Address: 737 18th Ave NE
   Owner Name (print): David Nowak
   Owner Signature:
4. Affected Property Address: 746 18th Ave NE
   Owner Name (print): Elizabeth H Skidmore
   Owner Signature:
5. Affected Property Address: 1700 BEACH DR NE
   Owner Name (print): G. W. McCLENDON
   Owner Signature:
6. Affected Property Address: 735 18th Ave NE
   Owner Name (print): [illegible]
   Owner Signature:
7. Affected Property Address: 745 18th Ave. NE
   Owner Name (print): Mary Anne Boston
   Owner Signature: Mary Anne Boston
8. Affected Property Address: 745 18th Ave NE
   Owner Name (print): Ward Boston III
   Owner Signature: Ward Boston III

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PUBLIC PARTICIPATION REPORT

Application No. 17-33000015

In accordance with LDR Section 16.70.040.1.F.2. "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 permit requiring review and public hearing. The applicant, at his option, may elect to include neighborhood mediation as a preparatory step in the development process. 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, 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."

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

Jan 2017 to present: Ongoing conversations with neighbors adjacent to property and neighbors on our Historically Designated Block; 08/07/17: Telephone conversation with Robin Reed, Chairman HONNA Planning & Preservation Committee; 08/10/17: Email of DRC application pkg to Robin Reed and Peter Motzenbecker per guidance of Ms. Reed

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

Mailings planned to homeowners residing within 300 feet of property. Content to be prepared in partnership with City. Mail notification deadline for October 4, 2017 hearing is September 11, 2017.

(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

3. Signature or affidavit of compliance - President or vice-president of any neighborhood associations

Check one: (__) Proposal supported
(__) Do not support the Proposal
(__) Unable to comment on the Proposal at this time
(__) Other comment(s): See Attached Email

Association Name | President or Vice-President Signature

If the president or vice-president of the neighborhood association are unavailable or refuse to sign such certification, a statement as to the efforts to contact them and (in the event of unavailability or unwillingness to sign) why they were unable or unwilling to sign the certification.

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VACATION SKETCH AND LEGAL DESCRIPTION

SECTION 17, TOWNSHIP 31 SOUTH, RANGE 17 EAST

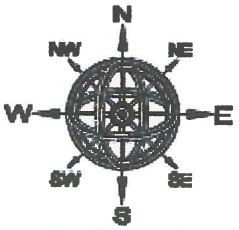
DESCRIPTION AND SKETCH

8 FOOT PORTION OF RIGHT-OF-WAY VACATION

DESCRIPTION:

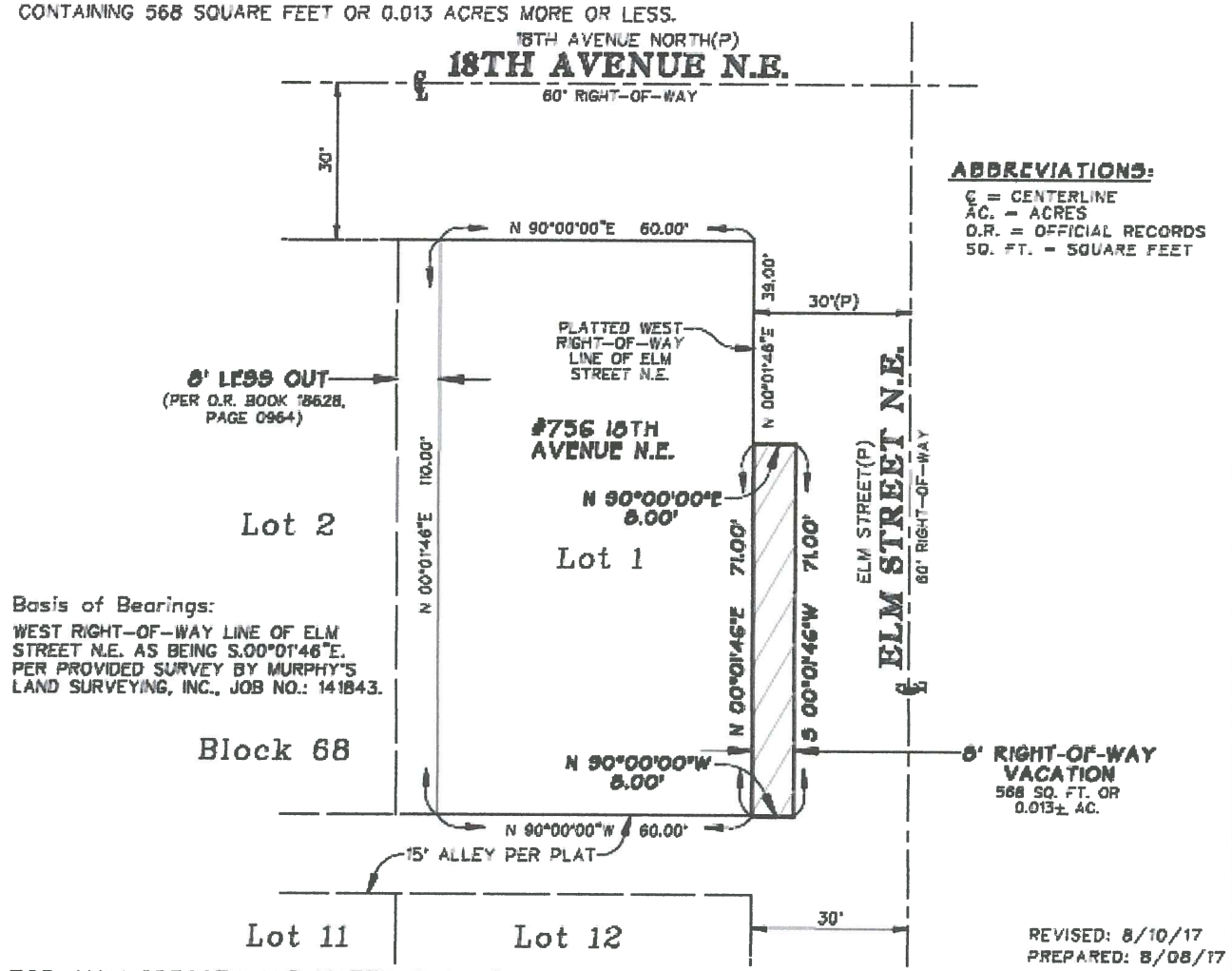
THE SOUTH 71 FEET OF THAT 8 FOOT PORTION OF ELM STREET NORTHEAST RIGHT-OF-WAY (60 FEET WIDE PER PLAT BOOK 4, PAGE 39) LYING COINCIDENT AND ADJACENT TO THE EAST BOUNDARY LINE OF LOT 1, BLOCK 68, REVISED PLAT OF BLOCKS 37, 38, 65, 66, 67 & 68 AND WATER LOTS "A" TO "V" INCLUSIVE IN SNELL & HAMLETT'S NORTH SHORE ADDITION, AS RECORDED IN PLAT BOOK 4, PAGE 39 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

CONTAINING 568 SQUARE FEET OR 0.013 ACRES MORE OR LESS.



NORTH BASIS: ASSUMED

SCALE: 1" = 30'



ABBREVIATIONS:

℄ = CENTERLINE
AC. = ACRES
O.R. = OFFICIAL RECORDS
SQ. FT. = SQUARE FEET

REVISED: 8/10/17
PREPARED: 8/08/17

FOR: MAY GRECSEK AND MATTHEW GRECSEK

THIS IS NOT A SURVEY

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

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

Job: 1708-24
Drawn: DS

I hereby certify that the Legal Description and Sketch represented hereon meets the requirements of Chapter 5J-17, Florida Administrative Code.

JOHN C. BRENDLA
Florida Surveyor & Registration No. 1269
Certificate of Authorization No. 760

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

SHEET 1 OF 1

PHOTOGRAPHS OF SUBJECT PROPERTY

PHOTOGRAPHS OF SUBJECT PROPERTY

Permanent structures inside sixty-eight (68) foot width of property along Elm St.

City has confirmed no utilities along this side of Elm St.

NARRATIVE

City has copy of this narrative which was used as reference for meetings with homeowner in May 2017

Overview

Matthew and May Grecsek, homeowners of 756 18th Ave NE ("Homeowner(s)") request the City of St Petersburg (the "City") vacate any claim on the eight (8) foot parcel of land along the eastern boundary of Block 68, Lot 1 parallel to Elm Street as defined in Snell and Hamletts North Shore Add Rev Replat, Block 68, Lot 1 ("Disputed Parcel"), for either of the following reasons:

Scenario A: The Disputed Parcel already belongs to Homeowner and the City should vacate any claim to it.
Scenario B: The Disputed Parcel somehow belongs to the City, but due to the circumstances, conflicting Ordinance, ambiguity, and other irregularities, the City should vacate any claim to it.

Recent Background:

1. In February 1987, the Mr. Paul Tash ("1986 Homeowner") applied for a City permit to construct permanent structures on the Disputed Parcel with the good faith belief that it was his property. The City concurred and granted a Permit to construct a permanent deck on the Disputed Parcel with applicable setbacks for residential property (*no City claim of ownership of Disputed Parcel*).
2. In September 1987, the 1986 Homeowner prepared a survey for the proposed construction of a swimming pool and was informed that the eastern boundary of his property was eight (8) feet less than he reasonably believed (*see next section*). The 1986 Homeowner was directed by the City to apply for an easement, variance, and permit to begin construction, which he did.
3. In October 1987, the Board of Adjustment having considered all of the relevant facts and Ordinances, unanimously granted approval for the additional permanent structures on the Disputed Parcel. The City granted a Permit and the permanent structures approved.
4. During the period of 1988 through 2017, the property was transacted by six different owners. All relied on the Permit history to determine the legality of the permanent structures and the permissions they implied to determine the value of the property.
5. Since 1988, all homeowners have been paying Pinellas County property taxes on the permanent structures on the Disputed Parcel.
6. In 2017, in connection with anticipated historic designation, the Current Homeowner applied for a permit to replace the existing vinyl fence with a block wall to match the historic wall on the west side of the property. He was informed by the City engineer that despite the BOA approval and permit, no easement was created and therefore all permanent structures on the Disputed Parcel are illegal.

Scenario A

The parcel already belongs to the homeowner

1. The plat map shows Lot 1, Block 68 as having a 68 foot width *(See Snell and Hamlett's Replat, Exhibit 1)*. The western border of the property has remained constant since the original plat and is the location of a block wall erected when the house was constructed (See Photo, Exhibit 11).
2. Property taxes on the full sixty-eight (68) foot width were paid by homeowners from 1922 through at least 1986 *(See Tax Collector's records in Exhibit 2)*.
3. All deeds for the property through 1986 have the sixty-eight (68) foot description *(See 1986 Deed, Exhibit 3)*:

   Lot 1, Block 68 SNELL AND HAMLETT'S NORTH SHORE SUBDIVISION

4. The privacy fence erected long before 1987, is exactly sixty-eight (68) feet from the western border of the property. The location of this fence is the current subject of controversy.
5. In February 1987, the City recognized the sixty-eight (68) foot width of the property as belonging to the homeowner, by issuing Building Permit 704242 for a permanent deck on the Disputed Parcel *(See Property Card, Exhibit 4, See also Property Photos, Exhibits 9, 10)*.
6. All permanent structures are within the sixty-eight (68) foot width of the property defined in all City and County records through the beginning of 1987 *(See Survey, Exhibit 6)*.
7. In September 1987, eight (8) feet of land was taken from Block 68, Lot 1.

   Lot 1, Block 68 SNELL AND HAMLETT'S NORTH SHORE SUBDIVISION, **less W 8 feet**
   (*See 1992 Deed, Exhibit 7, emphasis added*)

8. The City claims ownership of the missing eight (8) feet of property on the Disputed Parcel.

Scenario A Conclusion:

The Disputed Parcel containing the permanent structures, including the original fence, is within the sixty-eight (68) foot width of the lot as platted and deeded and rightfully belongs to the property owner of Block 68, Lot 1. The homeowner requests the City to vacate its claim to the Disputed Parcel.

Scenario B

The permanent structures approved by the City require a vacation of the Disputed Parcel

Assuming the City had legal claim to the Disputed Parcel, and not the homeowners occupying and paying property taxes on the parcel and the containing permanent structures, under the St Petersburg Code of Ordinances, the permitting of a structure that constitutes a substantial permanent use of a public right of way or easement requires a vacation (See St Petersburg Minor Encroachments, Article VII, Sec. 25-272. - Purpose and intent; definitions, Exhibit 12):

> (f) Notwithstanding the foregoing, a building or structure or any portion thereof that constitutes a substantial permanent use of a public right-of-way or easement shall require a vacation of air rights or a vacation of the public right-of-way or easement.

Therefore, a vacation rather than an easement was legally necessary in permitting the permanent structures and the homeowner requests the City vacate its claim to the Disputed Parcel.

If the City disagrees with this conclusion, the following complications need to be resolved:

1. What is the legality of issuing Building Permit 704242 for a permanent structure on a right of way issued in February 1987 on the Disputed Parcel, in conflict of Sec 25-272(f)?
2. What was the effect and legality of the BOA's unanimous decision granting permission to build a concrete deck and pool on a right of way, also in conflict of Sec 25-272(f)?
3. What due process occurred to remove eight (8) feet from the width of Block 68, Lot 1?
4. What circumstances permitted the longstanding privacy fence, sixty-eight (68) feet from the western wall and border that existed prior to 1987 on the Disputed Parcel?
5. How will the City remedy the inequity it created for at least six (6) homeowners making reasonable, but detrimental reliance on the City's representation that permits were legally granted and which the County Tax Assessor relied upon when valuing the property?
6. What is the effect of the recently effectuated local historic designation of the property on the permanent structures in the Disputed Parcel?

Putting aside Sec 25-272(f) legalities, an easement is an interest in land owned by another person, consisting in the right to use the land, and can be created in a variety of ways. The City is a sophisticated party. If it laid claim to the Disputed Parcel, it should have known an easement was required and the legal basis thereof before permitting the homeowner to build permanent structures in the public right of way, knowing the significant investments they required. Under Florida law, if the circumstances surrounding an action indicate that a property owner must have intended that a party obtain an easement, an easement can be inferred even though not explicitly granted. As elsewhere in the US and around the world, easements do not need to be recorded in order to exist.

<u>A St Petersburg Minor Easement is not an easement</u>.

"A minor easement permit shall be deemed a license and ***not an easement*** *or other property interest. "* (*Article VII Section 25-273(e), Exhibit 7, emphasis added*)

Furthermore, a St Petersburg Minor Easement is only applicable "where vacation is not practical or that does not adequately protect the public interest" (*See Article VII Section 25-273(a) (1), Exhibit 7*).

Given the facts and circumstances, an objective person would be justified in expecting an easement, not a mere license, to exist before building permanent structures. The homeowner made reasonable, good-faith, and detrimental reliance on the City's approval to proceed and would not have made the large investment in improvements based on a mere license. Likewise, subsequent homeowners would have had the same reasonable expectations. Therefore an easement by estoppel would be created by law.

Alternatively, the Florida Supreme Court, defined the following elements to establish a prescriptive easement (*Downing v. Bird, 100 So. 2d 57 (Fla. 1958), as clarified in Crigger v. Florida Power Corporation, 436 So. 2d 937 (Fla. 5th DCA 1983)*):

a. The user has made a certain particular and actual use of lands owned by another;
b. Such use had been continuous and uninterrupted for a period of 20 years;
c. Such use has either been with the actual knowledge of the owner or so open, notorious and visible that knowledge of the use is imputed to the owner;
d. Such use relates to a certain limited and defined area of land or, if for a right-of-way, the use is of a definite route with a reasonably certain line, width, and termini; and
e. Such use has been adverse to the owner; that is a) the use has been made without the permission of the owner and under some claim of right other than permission from the owner; b) the use has been either exclusive of the owner or inconsistent with the rights of the owner of the land to its use and enjoyment; and c) the use has been such that, during the whole prescribed period, the owner had a cause of action against the user for the use being made.

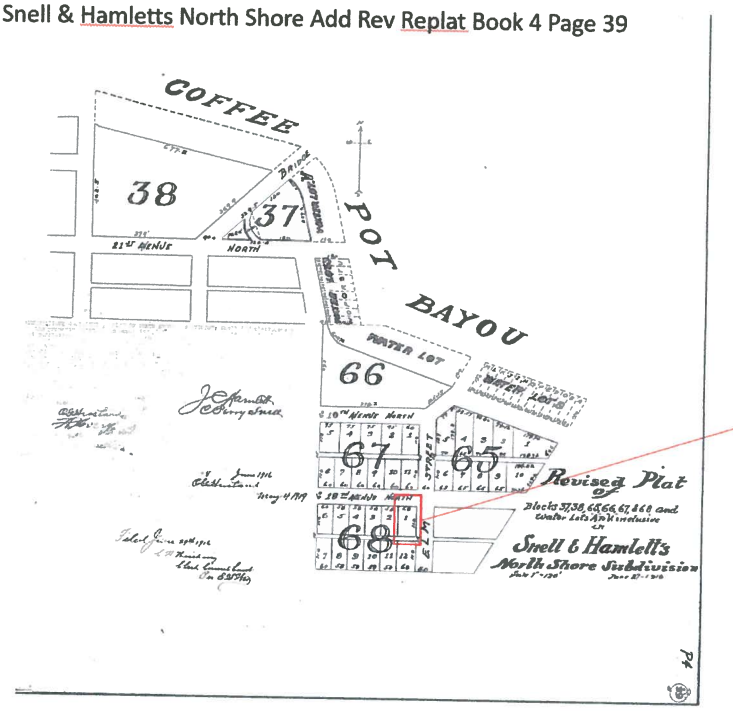
Scenario B Conclusion

Under City Code, the permitting of a structure that constitutes a substantial permanent use of a public right of way or easement requires a vacation, which the Homeowner requests. If the City disagrees with that conclusion, then the Homeowner requests that the City:

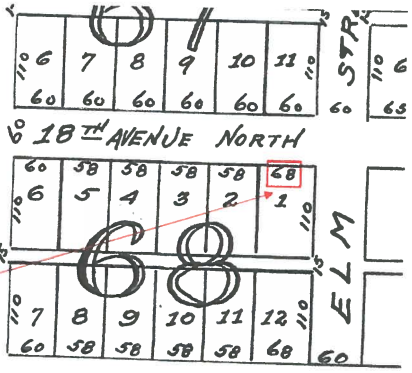
1. Provide an official response to the six (6) complications listed on Page 3
2. Provide an official response explaining the legal theory and terms of any existing easement
3. Provide a remedy to resolve the inequities it created by its actions

Exhibit 1 – Snell & Hamletts North Shore Add Rev Replat

Snell & Hamletts North Shore Add Rev Replat Book 4 Page 39



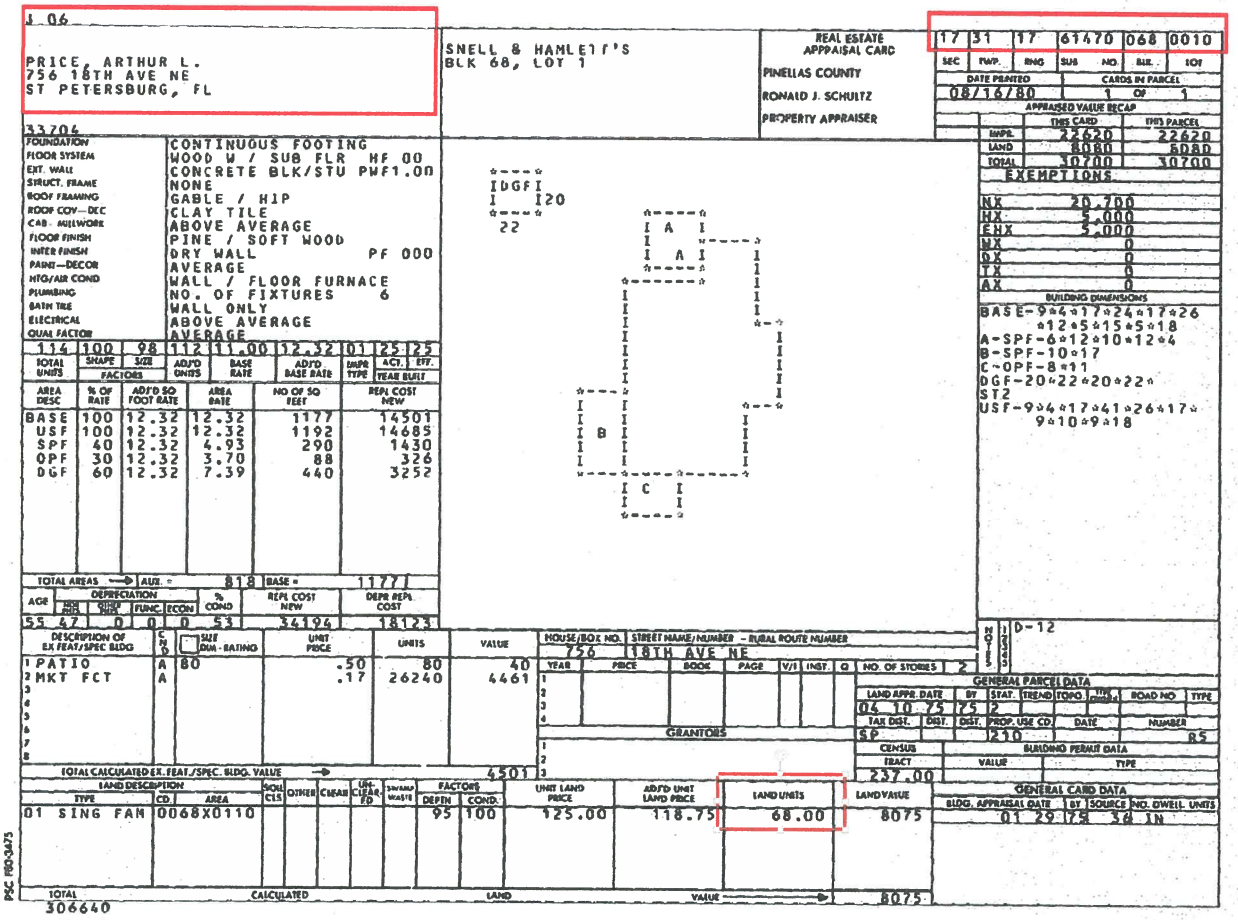
Parcel: 17-13-17-83221-068-0010
Site: 756 18th Ave NE



Property width is 68 feet

Block 68, Lot 1 has a 68 foot width.

Exhibit 2 – Pinellas Property Tax Collector's Record 1979



J 06

PRICE, ARTHUR L.
756 18TH AVE NE
ST PETERSBURG, FL

33704

SNELL & HAMLETT'S
BLK 68, LOT 1

REAL ESTATE APPRAISAL CARD
PINELLAS COUNTY
RONALD J. SCHULTZ
PROPERTY APPRAISER

17 | 31 | 17 | 61470 | 068 | 0010
SEC | TWP. | RNG | SUB | NO. | BLK. | LOT

DATE PRINTED 08/16/80 — CARDS IN PARCEL 1 OF 1

APPRAISED VALUE RECAP

	THIS CARD	THIS PARCEL
IMPR.	22620	22620
LAND	8080	8080
TOTAL	30700	30700

EXEMPTIONS

NX	20,700
HX	5,000
EHX	5,000
WX	0
OX	0
TX	0
AX	0

FOUNDATION	CONTINUOUS FOOTING
FLOOR SYSTEM	WOOD W / SUB FLR HF 00
EXT. WALL	CONCRETE BLK/STU PWF1.00
STRUCT. FRAME	NONE
ROOF FRAMING	GABLE / HIP
ROOF COV—DEC	CLAY TILE
CAB. MILLWORK	ABOVE AVERAGE
FLOOR FINISH	PINE / SOFT WOOD
INTER FINISH	DRY WALL PF 000
PAINT—DECOR	AVERAGE
HTG/AIR COND	WALL / FLOOR FURNACE
PLUMBING	NO. OF FIXTURES 6
BATH TILE	WALL ONLY
ELECTRICAL	ABOVE AVERAGE
QUAL FACTOR	AVERAGE

TOTAL UNITS	SHAPE	SIZE	ADJ'D UNITS	BASE RATE	ADJ'D BASE RATE	IMPR TYPE	ACT.	EFF. YEAR BUILT
114	100	98	112	11.00	12.32	01	25	25

FACTORS

AREA DESC	% OF RATE	ADJ'D SQ FOOT RATE	AREA RATE	NO OF SQ FEET	REPL COST NEW
BASE	100	12.32	12.32	1177	14501
USF	100	12.32	12.32	1192	14685
SPF	40	12.32	4.93	290	1430
OPF	30	12.32	3.70	88	326
DGF	60	12.32	7.39	440	3252

TOTAL AREAS → AUX. = 818 | BASE = 1177

AGE	DEPRECIATION MIN PHYS	DEPR PHYS	FUNC.	ECON	% COND	REPL COST NEW	DEPR REPL COST
55	47	0	0	0	53	34194	18123

BUILDING DIMENSIONS
BASE-9*4*17*24*17*26
*12*5*15*5*18
A-SPF-6*12*10*12*4
B-SPF-10*17
C-OPF-8*11
DGF-20*22*20*22*
ST2
USF-9*4*17*41*26*17*
9*10*9*18

	DESCRIPTION OF EX FEAT/SPEC BLDG	C D	SIZE DIM - RATING	UNIT PRICE	UNITS	VALUE
1	PATIO	A	80	.50	80	40
2	MKT FCT	A		.17	26240	4461
3						
4						
5						
6						
7						
8						

TOTAL CALCULATED EX. FEAT./SPEC. BLDG. VALUE → 4501

HOUSE/BOX NO. 756 | STREET NAME/NUMBER – RURAL ROUTE NUMBER 18TH AVE NE

	YEAR	PRICE	BOOK	PAGE	V/I	INST.	Q
1							
2							
3							
4							

GRANTORS

NO. OF STORIES 2

D-12

GENERAL PARCEL DATA

LAND APPR. DATE	BY	STAT. TREND	TOPO	ROAD TYPE	ROAD NO.	TYPE
04 10 75	75	2				

TAX DIST.	DIST.	DIST.	PROP. USE CD	DATE	NUMBER
SP			210		RS

CENSUS TRACT	BUILDING PERMIT DATA VALUE	TYPE
237.00		

GENERAL CARD DATA

BLDG. APPRAISAL DATE	BY	SOURCE	NO. DWELL. UNITS
01 29 75	36	IN	

LAND DESCRIPTION TYPE	CD	AREA	SOIL CLS	OTHER	CLEAR	UNS. CLEAR FD	SWAMP WASTE	FACTORS DEPTH	FACTORS COND.	UNIT LAND PRICE	ADJ'D UNIT LAND PRICE	LAND UNITS	LAND VALUE
01 SING FAM		0068X0110						95	100	125.00	118.75	68.00	8075

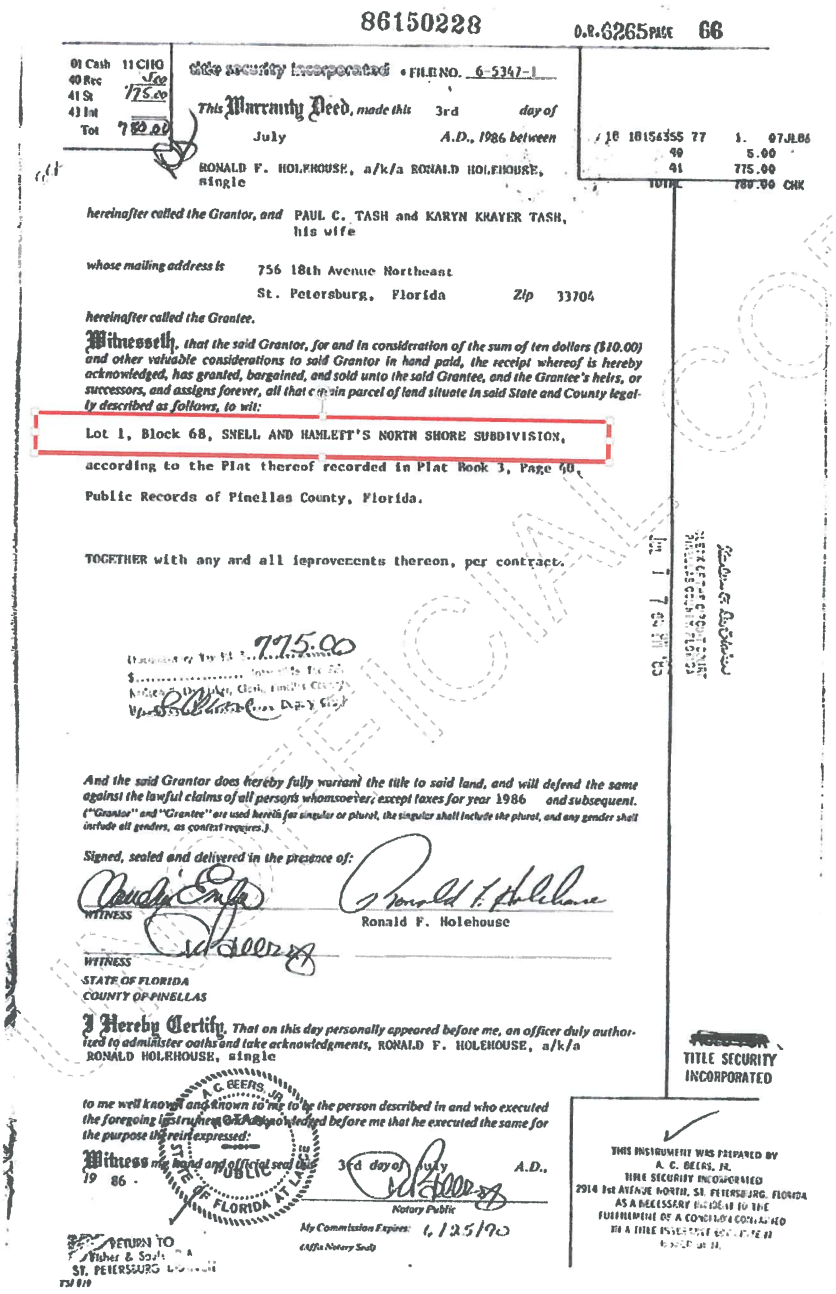
TOTAL CALCULATED LAND VALUE → 8075

306640

PSC FRD-3475

Homeowners since 1918 paid for sixty-eight (68) foot property width (Land Units 68.00) as reflected in the original plat specification and all deeds since 1918.

Exhibit 3 – 1986 Deed



86150228 O.R.6265 PAGE 66

01 Cash 11 CHG
40 Rec 5.00
41 St 775.00
43 Int
Tot 780.00

title security incorporated • FILE NO. 6-5347-1

This Warranty Deed, made this 3rd day of July A.D., 1986 between

18 18156355 77 1. 07JL86
40 5.00
41 775.00
TOTAL 780.00 CHK

RONALD F. HOLEHOUSE, a/k/a RONALD HOLEHOUSE, single

hereinafter called the Grantor, and PAUL C. TASH and KARYN KRAYER TASH, his wife

whose mailing address is 756 18th Avenue Northeast
St. Petersburg, Florida Zip 33704

hereinafter called the Grantee.

Witnesseth, that the said Grantor, for and in consideration of the sum of ten dollars ($10.00) and other valuable considerations to said Grantor in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, and sold unto the said Grantee, and the Grantee's heirs, or successors, and assigns forever, all that certain parcel of land situate in said State and County legally described as follows, to wit:

Lot 1, Block 68, SNELL AND HAMLETT'S NORTH SHORE SUBDIVISION,

according to the Plat thereof recorded in Plat Book 3, Page 40,

Public Records of Pinellas County, Florida.

TOGETHER with any and all improvements thereon, per contract.

775.00

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, except taxes for year 1986 and subsequent.
("Grantor" and "Grantee" are used herein for singular or plural, the singular shall include the plural, and any gender shall include all genders, as context requires.)

Signed, sealed and delivered in the presence of:

WITNESS

Ronald F. Holehouse

WITNESS

STATE OF FLORIDA
COUNTY OF PINELLAS

I Hereby Certify, That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, RONALD F. HOLEHOUSE, a/k/a RONALD HOLEHOUSE, single

to me well known and known to me to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purpose therein expressed:

Witness my hand and official seal this 3rd day of July A.D., 19 86 .

A. C. BEERS, JR. PUBLIC STATE OF FLORIDA AT LARGE

Notary Public

My Commission Expires: 6/25/90
(Affix Notary Seal)

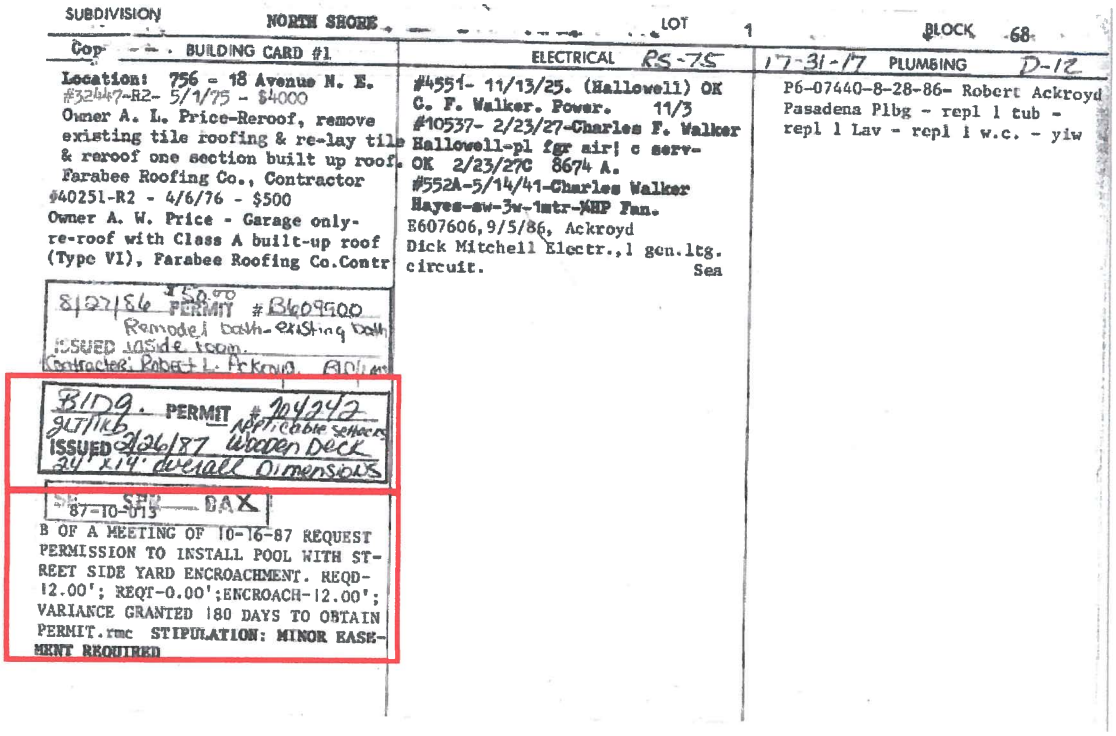
RETURN TO
Fisher & Sauls
ST. PETERSBURG

TITLE SECURITY INCORPORATED

THIS INSTRUMENT WAS PREPARED BY
A. C. BEERS, JR.
TITLE SECURITY INCORPORATED
2914 1st AVENUE NORTH, ST. PETERSBURG, FLORIDA
AS A NECESSARY INCIDENT TO THE
FULFILLMENT OF A CONDITION CONTAINED
IN A TITLE INSURANCE COMMITMENT

Title shows the full sixty-eight (68) foot property width inclusive of the disputed eight (8) foot parcel containing the fence and permanent structures. All deeds prior to this have the same description.

Exhibit 4– Property Card



SUBDIVISION NORTH SHORE LOT 1 BLOCK 68

Cop BUILDING CARD #1 | ELECTRICAL RS-75 | 17-31-17 PLUMBING D-12

Location: 756 - 18 Avenue N. E.
#32447-R2- 5/1/75 - $4000
Owner A. L. Price-Reroof, remove existing tile roofing & re-lay tile & reroof one section built up roof. Farabee Roofing Co., Contractor
#40251-R2 - 4/6/76 - $500
Owner A. W. Price - Garage only-re-roof with Class A built-up roof (Type VI), Farabee Roofing Co.Contr

8/27/86 $50.00 PERMIT # B609900
Remodel bath-existing bath
ISSUED inside room.
Contractor: Robert L. Ackroyd. BLD/tmm

#1

BLDG. PERMIT # 704242
9LT/1KB Applicable setbacks
ISSUED 2/26/87 Wooden Deck
24' x 14' overall Dimensions

#2

SE SPR DAX
87-10-013
B OF A MEETING OF 10-16-87 REQUEST PERMISSION TO INSTALL POOL WITH STREET SIDE YARD ENCROACHMENT. REQD-12.00'; REQT-0.00';ENCROACH-12.00'; VARIANCE GRANTED 180 DAYS TO OBTAIN PERMIT.rmc STIPULATION: MINOR EASEMENT REQUIRED

#4551- 11/13/25. (Hallowell) OK C. F. Walker. Power. 11/3
#10537- 2/23/27-Charles F. Walker Hallowell-pl fgr air; c serv-OK 2/23/27C 8674 A.
#552A-5/14/41-Charles Walker Hayes-sw-3w-1mtr-¼HP Fan.
E607606,9/5/86, Ackroyd
Dick Mitchell Electr.,1 gen.ltg. circuit. Sea

P6-07440-8-28-86- Robert Ackroyd Pasadena Plbg - repl 1 tub - repl 1 Lav - repl 1 w.c. - yiw

SUBDIVISION SHELL AND HAMLETTS LOT 1 BLOCK 68

CARD # 2 FL. ZONE: FILM BOX # ZONE: RS75 SEC. 17 TWN. 31 RGE. 17 PLAT PAGE: D-12

BUILDING | BUILDING | BUILDING

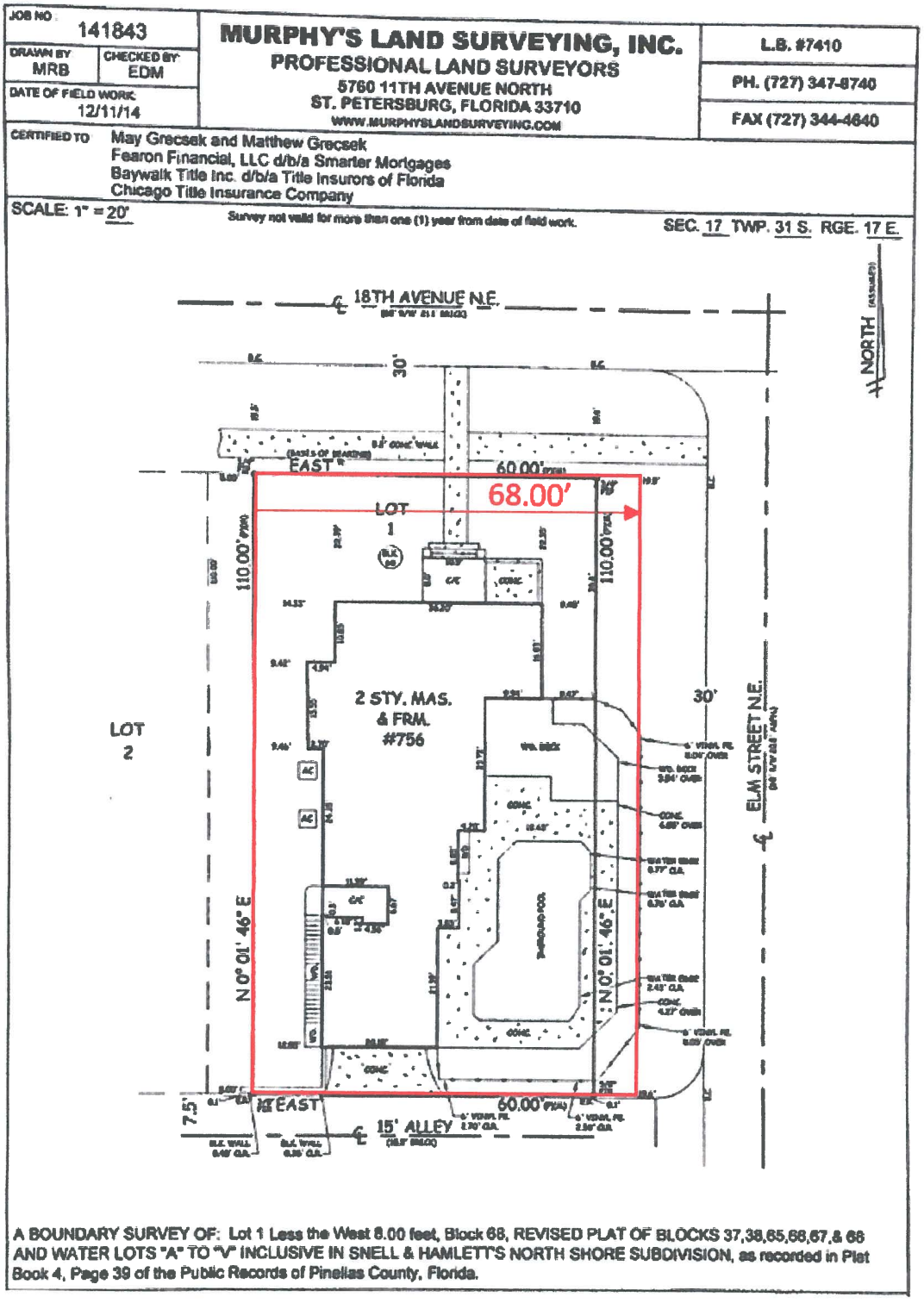
LOCATION: 756- 18 Avenue N.E.
#Q802704-RS75- 1/13/88- $11000
Owner M Tash- 20x32' pool with deck conc- pool has been approved by B/A & work permit (Type V) Lil Dipper, Contractor (BLC/tmm)
B/A- case #87-10-013- 10/16/87 GRANTED

HISTORIC BUILDING

#1 Permit for permanent structure, 24x14' deck, on Disputed Parcel. **No City claim of ownership**.

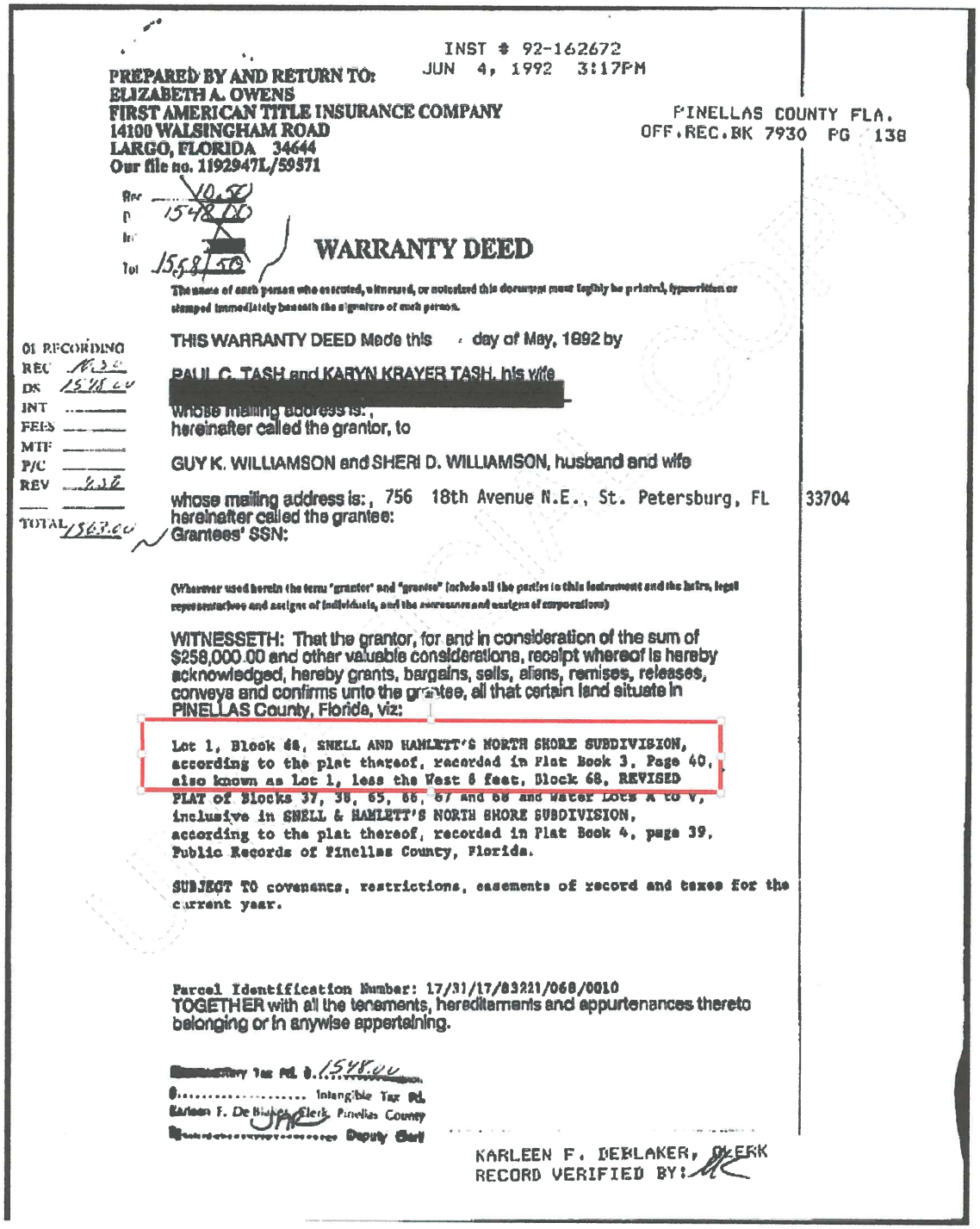
#2 Permit for permanent structures, pool and deck, on Disputed Parcel. City claims ownership.

Exhibit 5 – 2014 Survey



No City easements are required with 68 foot width; all permanent structures are within the property boundaries.

Exhibit 6 – 1992 Deed



INST # 92-162672
JUN 4, 1992 3:17PM

PINELLAS COUNTY FLA.
OFF.REC.BK 7930 PG 138

PREPARED BY AND RETURN TO:
ELIZABETH A. OWENS
FIRST AMERICAN TITLE INSURANCE COMPANY
14100 WALSINGHAM ROAD
LARGO, FLORIDA 34644
Our file no. 1192947L/59571

Rec 10.50
D 1548.00
In
Tot 1558.50

WARRANTY DEED

The name of each person who executed, witnessed, or notarized this document must legibly be printed, typewritten or stamped immediately beneath the signature of such person.

OR RECORDING
REC 10.50
DS 1548.00
INT
FEES
MTF
P/C
REV 9.50
TOTAL 1568.00

THIS WARRANTY DEED Made this day of May, 1992 by

PAUL C. TASH and KARYN KRAYER TASH, his wife

whose mailing address is: [redacted]
hereinafter called the grantor, to

GUY K. WILLIAMSON and SHERI D. WILLIAMSON, husband and wife

whose mailing address is:, 756 18th Avenue N.E., St. Petersburg, FL 33704
hereinafter called the grantee:
Grantees' SSN:

(Wherever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of $258,000.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in PINELLAS County, Florida, viz:

Lot 1, Block 68, SNELL AND HAMLETT'S NORTH SHORE SUBDIVISION, according to the plat thereof, recorded in Plat Book 3, Page 40, also known as Lot 1, less the West 8 feet, Block 68, REVISED PLAT of Blocks 37, 38, 65, 66, 67 and 68 and Water Lots A to V, inclusive in SNELL & HAMLETT'S NORTH SHORE SUBDIVISION, according to the plat thereof, recorded in Plat Book 4, page 39, Public Records of Pinellas County, Florida.

SUBJECT TO covenants, restrictions, easements of record and taxes for the current year.

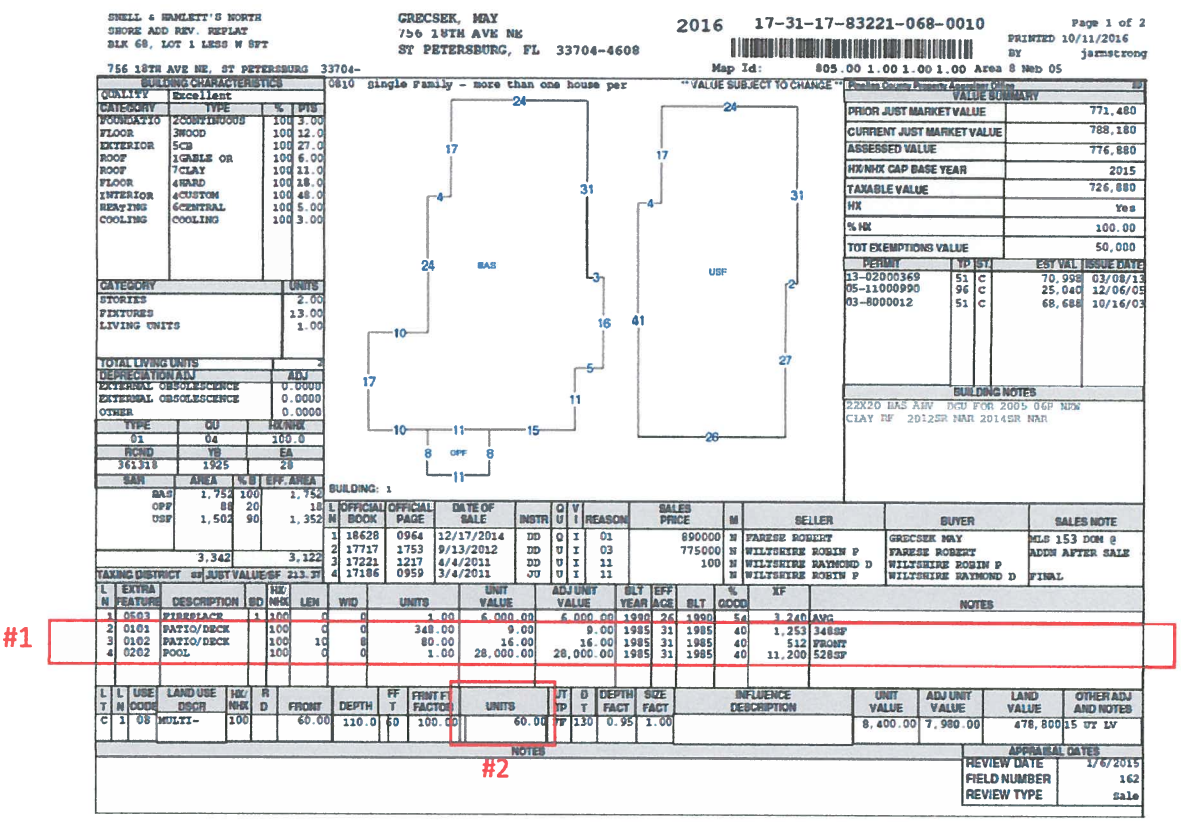
Parcel Identification Number: 17/31/17/83221/068/0010
TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

[redacted] Tax Pd. $ 1548.00
$ ..... Intangible Tax Pd.
Karleen F. DeBlaker, Clerk Pinellas County
By: ..... Deputy Clerk

KARLEEN F. DEBLAKER, CLERK
RECORD VERIFIED BY:

Eight (8) feet removed from property.

Exhibit 7 – 2016 Pinellas Property Tax Collector's Record



SHELL & HAMLETT'S NORTH SHORE ADD REV. REPLAT BLK 68, LOT 1 LESS W 8FT

GRECSEK, MAY
756 18TH AVE NE
ST PETERSBURG, FL 33704-4608

2016 17-31-17-83221-068-0010

Page 1 of 2
PRINTED 10/11/2016 BY jarmstrong

Map Id: 805.00 1.00 1.00 1.00 Area 8 Neb 05

756 18TH AVE NE, ST PETERSBURG 33704-

BUILDING CHARACTERISTICS

QUALITY	Excellent		
CATEGORY	TYPE	%	PTS
FOUNDATIO	2CONTINUOUS	100	3.00
FLOOR	3WOOD	100	12.0
EXTERIOR	5CB	100	27.0
ROOF	1GABLE OR	100	6.00
ROOF	7CLAY	100	11.0
FLOOR	4HARD	100	18.0
INTERIOR	4CUSTOM	100	48.0
HEATING	6CENTRAL	100	5.00
COOLING	COOLING	100	3.00

CATEGORY	UNITS
STORIES	2.00
FIXTURES	13.00
LIVING UNITS	1.00

TOTAL LIVING UNITS 2

DEPRECIATION ADJ	ADJ
EXTERNAL OBSOLESCENCE	0.0000
EXTERNAL OBSOLESCENCE	0.0000
OTHER	0.0000

TYPE	CU	HX/NHX
01	04	100.0
RCND	YB	EA
361318	1925	28

SAR	AREA	% B	EFF. AREA
BAS	1,752	100	1,752
OPF	88	20	18
USF	1,502	90	1,352
	3,342		3,122

TAXING DISTRICT 88 JUST VALUE/SF 213.37

0810 Single Family - more than one house per

"VALUE SUBJECT TO CHANGE"

BUILDING: 1

VALUE SUMMARY

PRIOR JUST MARKET VALUE	771,480
CURRENT JUST MARKET VALUE	788,180
ASSESSED VALUE	776,880
HX/NHX CAP BASE YEAR	2015
TAXABLE VALUE	726,880
HX	Yes
% HX	100.00
TOT EXEMPTIONS VALUE	50,000

PERMIT	TP	ST	EST VAL	ISSUE DATE
13-02000369	51	C	70,998	03/08/13
05-11000990	96	C	25,040	12/06/05
03-8000012	51	C	68,688	10/16/03

BUILDING NOTES

22X20 BAS ABV DCU FOR 2005 06P NPN
CLAY RF 2012SR NAR 2014SR NAR

L N	OFFICIAL BOOK	OFFICIAL PAGE	DATE OF SALE	INSTR	Q U	V I	REASON	SALES PRICE	M	SELLER	BUYER	SALES NOTE
1	18628	0964	12/17/2014	DD	Q	I	01	890000	H	FARESE ROBERT	GRECSEK MAY	MLS 153 DOM 8
2	17717	1753	9/13/2012	DD	U	I	03	775000	H	WILTSHIRE ROBIN P	FARESE ROBERT	ADDN AFTER SALE
3	17221	1217	4/4/2011	DD	U	I	11	100	H	WILTSHIRE RAYMOND D	WILTSHIRE ROBIN P	
4	17186	0959	3/4/2011	JU	U	I	11		H	WILTSHIRE ROBIN P	WILTSHIRE RAYMOND D	FINAL

L N	EXTRA FEATURE	DESCRIPTION	BD	HX/NHX	LEN	WID	UNITS	UNIT VALUE	ADJ UNIT VALUE	BLT YEAR	EFF AGE	BLT	% GOOD	XF	NOTES
1	0503	FIREPLACE	1	100	0	0	1.00	6,000.00	6,000.00	1990	26	1990	54	3,240	AVG
2	0101	PATIO/DECK		100	0	0	348.00	9.00	9.00	1985	31	1985	40	1,253	348SF
3	0102	PATIO/DECK		100	10	8	80.00	16.00	16.00	1985	31	1985	40	512	FRONT
4	0202	POOL		100	0	0	1.00	28,000.00	28,000.00	1985	31	1985	40	11,200	528SF

#1

L T	L N	USE CODE	LAND USE DSCR	HX/NHX	R D	FRONT	DEPTH	FF T	FRNT FT FACTOR	UNITS	UT TP	D T	DEPTH FACT	SIZE FACT	INFLUENCE DESCRIPTION	UNIT VALUE	ADJ UNIT VALUE	LAND VALUE	OTHER ADJ AND NOTES
C	1	08	MULTI-	100		60.00	110.0	60	100.00	60.00	TF	130	0.95	1.00		8,400.00	7,980.00	478,800	15 UT LV

#2

NOTES

APPRAISAL DATES

REVIEW DATE	1/6/2015
FIELD NUMBER	162
REVIEW TYPE	Sale

#1 For thirty years, homeowners have been paying property taxes on the permanent structures.

#2 Lot size has been reduced eight (8) feet.

Exhibit 8 – 1987 BOA Unanimous Approval for Permanent Structures on Disputed Parcel

CITY OF ST. PETERSBURG
NOTICE OF PUBLIC HEARING - BOARD OF ADJUSTMENT
LICENSE AND INSPECTIONS DEPARTMENT
(813) 893-7232

TO WHOM IT MAY CONCERN: **DATE OF HEARING:** Oct. 16, 1987

B/A CASE NUMBER: 87-10-013 **ZONE:** RS75

NAME OF APPLICANT: Paul C. Tash

NAME OF REPRESENTATIVE: Same

LOCATION (ADDRESS): 756 18 Ave. N.E.

LEGAL DESCRIPTION: Lot 1, Block 68, Snell & Hamletts North Shore Sub.

REQUEST: PERMISSION TO INSTALL POOL WITH SIDE YARD ENCROACHMENT

The above-described request will be considered by the Board of Adjustment at a PUBLIC HEARING to be held at 1:30 P.M., on OCTOBER 16, 1987 in COUNCIL CHAMBERS, MUNICIPAL BUILDING (CITY HALL), located at 175 5th Street North, St. Petersburg, Florida.

Records indicate you own property within 100/200 feet of the land in question or you may have an interest in the land in question. There is a SITE PLAN in the License & Inspections Department, Kress Building, 475 Central Avenue, St. Petersburg, Florida. We urge interested persons to examine the site plan prior to the scheduled public hearing. If you OBJECT to this request, you must either voice your objections at the public hearing or submit your objections in writing to this Department prior to the hearing. Telephone calls are not acceptable for objections or approvals of any cases. Please refer to Board of Adjustment Case Number and date of meeting when writing. Mail all correspondence to City of St. Petersburg, License & Inspections Department, Board of Adjustment, P. O. Box 2842, St. Petersburg, Florida 33731.

It is considered as improper for an applicant or objector to discuss a case prior to the hearing with any Board Member. Please direct your remarks to the Staff at License & Inspections Department in writing and those documents will be presented to the Board.

Further, in accordance with Florida Statures, Chapter 80-150, if a person decides to appeal any decision made by a governmental board, commission or agency, he/she will need a record of proceedings. It is up to the potentially adversely affected citizen to ensure that a verbatim record of the proceedings is made, including testimony and evidence upon which the appeal is to be based. Any persons who may need such a record may arrange for a court reporter to attend the public hearing at their expense.

City of St. Petersburg P.O. Box 2842 St. Petersburg, Florida 33731 Council-Manager Government Telephone: (813) 893-7171

Attachment E

MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: September 1, 2017

SUBJECT: Right of Way & Easement - Vacation

FILE: 17-33000015

LOCATION AND PIN: 756 18th Avenue Northeast 17/31/17/83221/068/0010
ATLAS: D-12
PROJECT: Right of Way & Easement - Vacation
REQUEST: Approval of a Vacation of an eight (8) foot by seventy-one (71) foot portion of Elm Street Northeast located immediately adjacent to the east of Lot 1, Snell & Hamlett's North Shore Addition Revised Replat Block 68, extending north from the east west alley in the block.

COMMENTS: The Engineering Depatment is providing the following comments for consideration:

1. City utility maps indicate no active public infrastructure within the right of way requested for vacation.

2. The remaining parkway width of approximately 5.4' is sufficient to allow construction of a future 4-foot wide sidewalk in the remaining right of way.

3. The current right of way width of 60-feet will be reduced to 52-feet for a distance of 71-feet, in the area of the proposed partial right of way vacation. The remaining 52-foot right of way exceeds the 50-foot right of way width required for a local street per City Land Development Code section 16.40.140.4.1(E).

NED/MJR/meh

pc: Kelly Donnelly
Easement Vacation File 2017
Reading File
Correspondence File

SECTION 17, TOWNSHIP 31 SOUTH, RANGE 17 EAST

DESCRIPTION AND SKETCH

8 FOOT PORTION OF RIGHT-OF-WAY VACATION

NORTH BASIS: ASSUMED

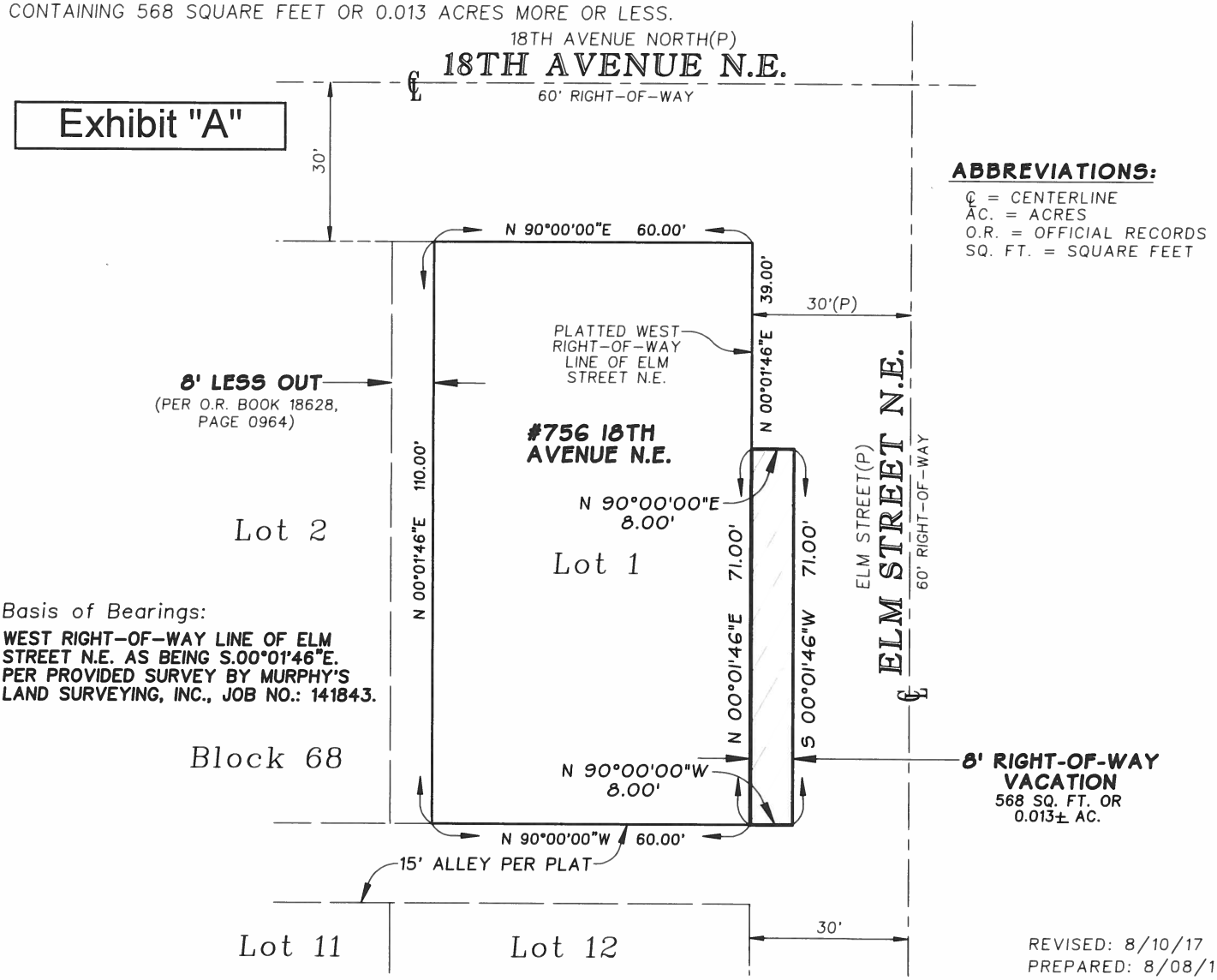
SCALE: 1" = 30'

DESCRIPTION:

THE SOUTH 71 FEET OF THAT 8 FOOT PORTION OF ELM STREET NORTHEAST RIGHT-OF-WAY (60 FEET WIDE PER PLAT BOOK 4, PAGE 39) LYING COINCIDENT AND ADJACENT TO THE EAST BOUNDARY LINE OF LOT 1, BLOCK 68, REVISED PLAT OF BLOCKS 37, 38, 65, 66, 67 & 68 AND WATER LOTS "A" TO "V" INCLUSIVE IN SNELL & HAMLETT'S NORTH SHORE ADDITION, AS RECORDED IN PLAT BOOK 4, PAGE 39 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

CONTAINING 568 SQUARE FEET OR 0.013 ACRES MORE OR LESS.

Exhibit "A"



ABBREVIATIONS:

℄ = CENTERLINE
AC. = ACRES
O.R. = OFFICIAL RECORDS
SQ. FT. = SQUARE FEET

REVISED: 8/10/17
PREPARED: 8/08/17

FOR: MAY GRECSEK AND MATTHEW GRECSEK

THIS IS NOT A SURVEY

This Legal Description and Sketch was prepared without the benefit of a title search and is subject to all easements, Rights-of-way, and other matters of record.

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

Job: 1708-24
Drawn: DS

I hereby certify that the Legal Description and Sketch represented hereon meet the requirements of Chapter 5J-17, Florida Administrative Code.

STATE OF FLORIDA
JOHN C. BRENDLA
No. 1269
REGISTERED SURVEYOR & MAPPER

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

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

st.petersburg
www.stpete.org

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

DEVELOPMENT REVIEW COMMISSION
STAFF REPORT

VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Economic Development Department records, **no Commission member** 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **October 4, 2017, at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.:	17-33000016	PLAT SHEET: E-52
REQUEST:	Approval of a Vacation of 2nd Street North between 99th Avenue North and Gandy Boulevard.	
OWNER:	International House Tampa Bay 1540 International Parkway #20 Lake Mary, Florida 32746-5096 Gandy Storage LLC 1213 Lady Street, 3rd Floor Columbia, South Carolina 29201-3283	
AGENT:	Jonathan J. Gotwald George F. Young, Inc. 299 Dr. Martin Luther King Jr. Street North Saint Petersburg, Florida 33701	
ADDRESSES AND PARCEL ID NOS.:	None; 18-30-17-11322-010-0010 201 99th Avenue North; 18-30-17-11322-011-0010 10075 Gandy Boulevard North; 19-30-17-00000-120-0200 10035 Gandy Boulevard North; 18-30-17-1322-010-0030 2nd Street North; 18-30-17-11322-010-0090 10000 4th Street North; 19-30-17-59225-000-0010	
LEGAL DESCRIPTION:	On File	

ZONING: Corridor Commercial Suburban (CCS-1) and Neighborhood Suburban Multifamily (NSM-1)

DISCUSSION AND RECOMMENDATION:

Request: The request is to vacate 2nd Street North between 99th Avenue North and Gandy Boulevard.

The area of the right-of-way proposed for vacation is depicted on the attached maps (Attachments A and B) and Sketch and Description (Exhibit "A"). The applicant's goal is to consolidate the vacated right-of-way with the parcel to the east for redevelopment. The vacated right-of-way would likely be allocated by the Pinellas County Property Appraiser to the parcel to the west; the owner of the eastern parcel proposes to enter into an agreement to purchase this portion of vacated right-of-way from the owner to the west.

Background: The substandard unpaved 30-foot right-of-way proposed for vacation (50-foot would be required for a local street) was platted in the Bridgeview subdivision which is to the west of 2nd Avenue North.

The triangular property to the west of the subject right-of-way (from 99th Avenue North to Gandy) has an approved plat (Gandy Boulevard Self Storage) to create one lot and is zoned Corridor Commercial Suburban (CCS-1). 100th Avenue North between Gandy Boulevard and 2nd Street North, which intersects 2nd Avenue North, was vacated by Ordinance 688-V in 1994 OR Book 8545, Page 1371. One of the conditions of this 1994 vacation was a replat all of the land abutting 100th Avenue North. This condition was not met, and therefore a new Vacation Ordinance 1094-V was approved in 2017 for the remainder of 100th Avenue North, tied to the requirement to replat (Gandy Boulevard Self Storage).

The property to the east of the right-of-way proposed for vacation is un-platted land and therefore there is no platted right-of-way associated with this parcel. The parcel to the east of the right-of-way proposed for vacation is zoned Neighborhood Suburban Multifamily (NSM-1).

Analysis: Staff's review of a vacation application is guided by:

A. The City's Land Development Regulations (LDR's);
B. The City's Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant (Attachment C) **does** provide background or analysis supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

A. Land Development Regulations

Section 16.40.140.2.1E of the LDR's contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. *Easements for public utilities including stormwater drainage and pedestrian easements may be retained or required to be dedicated as requested by the various departments or utility companies.*

   The application was routed to the standard list of City Departments and private utility providers. City Engineering and Water Resources indicated that they have facilities within the right-of-way proposed for vacation. In addition Bright House Networks, TECO/Peoples Gas, WOW!, Duke Energy Florida and Level 3 Communications indicated that they have facilities within this right-of-way. An associated Special Condition of approval has been added to address these concerns.

2. *The vacation shall not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record as shown from the testimony and evidence at the public hearing.*

   As noted in the introduction the property to the east has been consolidated into one lot by a replat. This lot to the west has access from 99th Avenue North and from Gandy Boulevard. The lot to the east may be able to have access from 99th Avenue North and has access from Gandy Boulevard. The vacation of this portion of 2nd Street North would not deny access to any lot of record.

3. *The vacation shall not adversely impact the existing roadway network, such as to create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.*

   The vacation of this unimproved portion of 2nd Avenue North will not adversely impact the existing roadway network, will not create a dead-end right-of-way, or substantially alter utilized travel patterns. This is not a designated historic neighborhood.

4. *The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.*

   The City has indicated the presence of utilities within the 2nd Avenue North right-of-way proposed for vacation as have private utility providers. An associated Special Condition of approval has been added to address this requirement.

5. *The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.*

   No other factors have been raised for consideration.

B. Comprehensive Plan

There are no policies in the City's Comprehensive Plan which apply to this request.

C. Adopted Neighborhood or Special Area Plans

There are no neighborhood or special area plans which affect vacation of right-of-way in this area of the City.

Comments from Agencies and the Public: Three calls were received from recipients of the mailed notice, none indicated a concern with vacating this portion of 2nd Avenue North, though one noted he would have a longer drive home. Calls and emails were received from the President of the Riviera Bay Civic Association. As of the writing of the report, staff is not aware of the Civic Associations view on the vacation of right-of-way application.

As noted above, City Departments and private utility providers did indicate the presence of facilities in the right-o-way to be vacated.

RECOMMENDATION. Staff recommends **APPROVAL** of the proposed street right-of-way vacation. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording of the vacation ordinance, the applicant(s) shall address the location of public and private utilities and services by providing a public utility easement covering the entire area to be vacated, providing a private utility easement, or relocating City and private utilities at the applicant's expense. In either case a written letter of no objection from the utility providers is required stating that the easement is sufficient for their interest, or that the facilities have been relocated.

2. Prior to recording the vacation ordinance, the applicant shall record the plat of Gandy Boulevard Self Storage, approved by City Council on September 7, 2017.

3. The parcel to the east of the right-of-way to be vacated, 10075 Gandy Boulevard North; 19-30-17-00000-120-0200, along with the vacated right-of-way shall be platted. If Gandy Boulevard Self Storage plat is not recorded before it expires, this land shall also be re-platted along with the parcel to the west and the vacated right-of-way.

4. As required City Code Section 16.70.050.1.1 F, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year. A completed application for Extension of Approval shall be submitted prior to the deadline for the DRC hearing prior to the expiration date.

REPORT PREPARED BY:

9/27/17

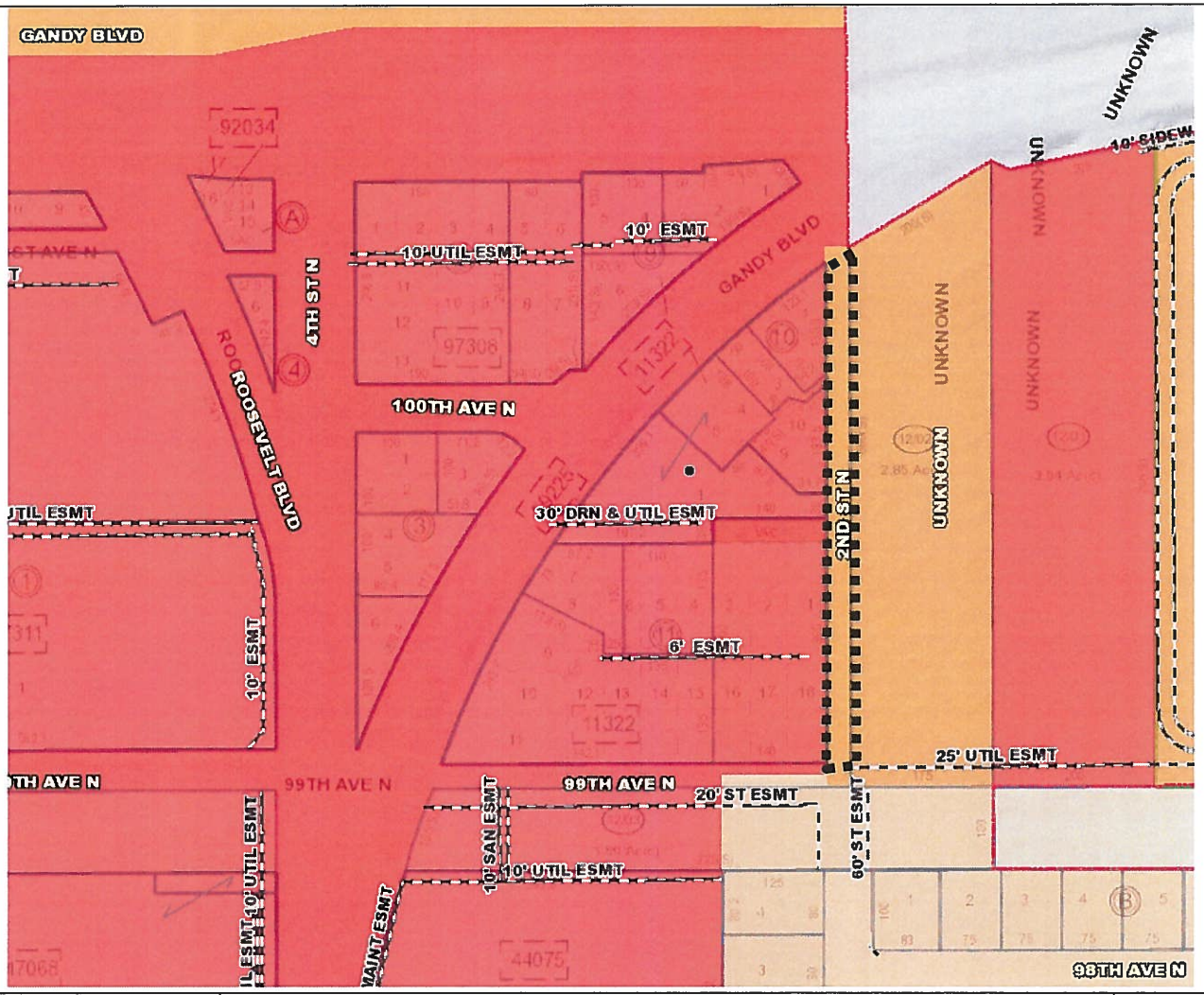
KATHRYN A. YOUNKIN, AICP, LEED AP BD+C, Deputy Zoning Official — DATE
Development Review Services Division
Planning & Economic Development Department

REPORT APPROVED BY:

9-27-17

ELIZABETH ABERNETHY, AICP, Zoning Official (POD) DATE
Planning and Economic Development
Development Review Services Division

Attachments: A – Parcel Map, B – Aerial Map, C – 1987 – Applicant's Narrative, D – Engineering Memorandum dated September 1, 2017, Attachment "A" – Sketch and Description

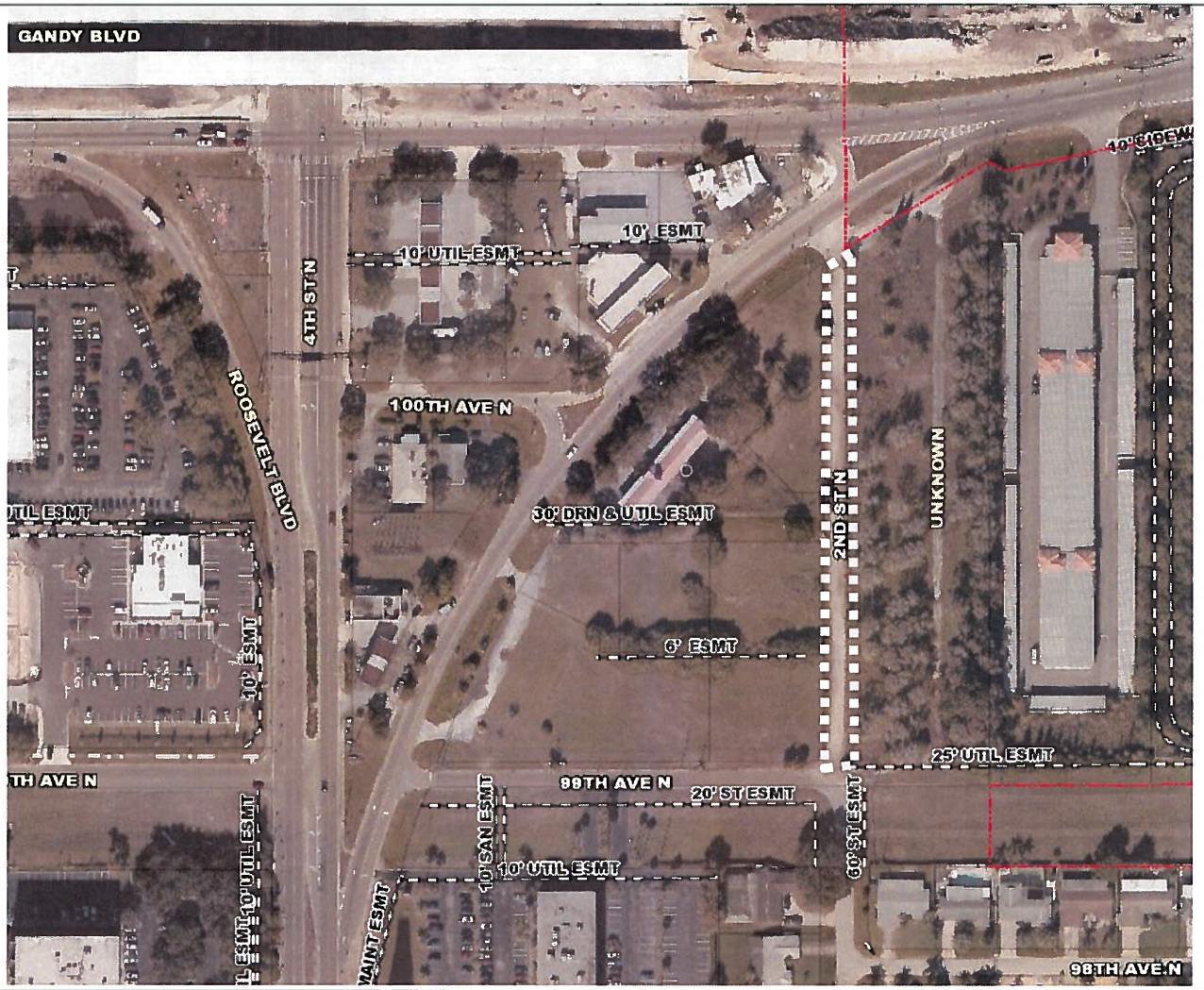


st.petersburg
www.stpete.org

Attachment A
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 17-330000016
Address: 10000 4th Street North and 0 Gandy Boulevard

N

(nts)



st.petersburg
www.stpete.org

Attachment B
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 17-330000016
Address: 10000 4th Street North and 0 Gandy Boulevard

N

(nts)

George F. Young, Inc.
Turning Vision into Reality Since 1919

299 Dr. Martin Luther King Jr. St. N.
St. Petersburg, Florida 33701
Phone: (727) 822-4317
www.georgefyoung.com

CIVIL & TRANSPORTATION ENGINEERING | ECOLOGY | GIS | LANDSCAPE ARCHITECTURE | PLANNING | SURVEYING | SUBSURFACE UTILITY ENGINEERING

Attachment C

August 15, 2017

Narrative: Subdivision Decision: Vacation Request – 2nd Street North

Dear Ms. Abernethy,

GFY is in the process of developing the property directly east of the subject portion of 2nd Street N, parcel ID # 19-30-17-00000-120-0200. Our property shares a common entrance onto Gandy Boulevard to the north and 99th Avenue N to the south. We have met with FDOT for a due diligence review and received their concurrence that the vacation of 2nd Street N. would benefit the traffic patterns onto Gandy Boulevard. There are five parcels with western frontage on the subject portion of 2nd street. Those five parcels have the following parcel ID #s: 18-30-17-11322-010-0010, 0030, 0090; 19-30-17-59225-000-0010; 18-30-17-11322-011-0010. There is a single owner for all five parcels and that owner has signed the application for the vacation.

Additionally, we believe all factors for consideration in the Land Development Regulations section 16.40.140.2.1 have been addressed:
E.1 - There limited amount of utilities within the 2nd Street Right of Way. Those utilities solely serve the owners who have signed the vacation application.
E.2 – All lots with frontage along 2nd Street have signed the vacation application. No other lot is substantially affected or denied access.
E.3 – It is our belief that the vacation of 2nd Street will enhance the existing roadway network. We have met with FDOT to gain their concurrence in regards to Gandy Boulevard.
E.4 – There are no apparent legal interests that the City would have along this portion of 2nd St. The north end of 2nd street ends onto an on-ramp of Gandy Boulevard. The vacation of 2nd will serve to deter vehicles from using this path as a 'short cut' to Gandy and interrupting the normal flow of vehicles travelling the on-ramp. Pedestrian access is very limited along this portion of 2nd and the road is not an existing public utility corridor.
E.1 – We respect the Development Review Commission and the City Council's right to review this application fully for any factors affecting public health, safety and welfare and will comply in any manner possible.

Sincerely,

GEORGE F. YOUNG, INC.

Patrick M. Gessleman, PE, LEED ND
Project Manager

Attachment D

MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: September 1, 2017

SUBJECT: Right of Way - Vacation

FILE: 17-33000016

LOCATION AND PIN: None; 18-30-17-11322-010-0010
201 99th Avenue North; 18-30-17-11322-011-0010
10075 Gandy Boulevard North; 19-30-17-00000-120-0200
10035 Gandy Boulevard North; 18-30-17-1322-010-0030
2nd Street North; 18-30-17-11322-010-0090
10000 4th Street North; 19-30-17-59225-000-0010

ATLAS: E-52

PROJECT: Right of Way - Vacation

REQUEST: Approval of a Vacation of 2nd Street North between 99th Avenue North and Gandy Boulevard.

COMMENTS: The Engineering Depatment has no objection to the vacation request provided the following item is included as a condition of approval:

1. City utility maps indicate that the right of way to be vacated contains a City owned 8" public sanitary sewer and a 12" public reclaimed water main. All existing utilities must be field located and adequate public utilitly easement must be dedicated centered over the existing utilities. The east and wes boundary of the required easement should be set based on centering a 20-foot wide easement over each utility.

2. City Utility maps indicate that a 6" private force main parallels the western boundary of 2nd St, north of 99th Ave N. City records indicate that this is a privately owned and maintained facility which services Sienna Bay Gardens Condominium located at 10501 3rd St N (parcel 18/30/17/11342/002/0010). The Engineer of Record for the adjacent Gandy Self Storage site previously indicated that the location of the 6" private force main was picked up at the time of the utility survey and that the force main is located under the west edge of 2nd St N. The applicant's Engineer of Record must field verify the force main location and City Engineernig further recommends that a private easement be coordinated between the property owners to document the legal right for maintenance of the force main to continue in this location to the benefit of the force main owner. The applicant shall be responsible to coordinate any impacts to the force main due to construction on this site with the utility owner.

NED/MJR/meh

pc: Kelly Donnelly
Easement Vacation File 2017
Reading File
Correspondence File

INST # 94-023072
JAN 25, 1994 8:03PM

RETURN TO
CITY CLERK
P.O. BOX 2842
ST. PETERSBURG, FL 33731

ORDINANCE NO. 688-V

AN ORDINANCE VACATING 100TH AVENUE NORTH BETWEEN THE GANDY FRONTAGE ROAD (EASTBOUND GANDY BOULEVARD) AND 2ND STREET NORTH; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

PINELLAS COUNTY FLA.
OFF.REC.BK 8545 PG 1371

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. 100th Avenue North between the Gandy Frontage Road (eastbound Gandy Boulevard) and 2nd Street North is hereby vacated as recommended by the Environmental Development Commission and the Administration.

SECTION 2. The above-mentioned right-of-way is not needed for public travel.

SECTION 3. This vacation is subject to and conditional upon the following:

1. The vacated right-of-way along with Lots 6-9, Block 10, and Lots 1-7, Block 11, Bridgeview, shall be replatted.

2. The southern 30-foot portion of vacated 100th Avenue North right-of-way shall be retained as a utility easement and any utilities located in the northern 30 feet of right-of-way shall be relocated at the applicant's expense.

SECTION 4. This Ordinance shall become effective immediately upon its adoption.

Passed by St. Petersburg City Council on first reading on the 16th day of December, 1993.

Passed by St. Petersburg City Council on second and final reading on the 5th day of January, 1995.

Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
City Clerk

Title Published: Times 1-t 12/20/93

(V-577)

I, JANE K. BROWN, CITY CLERK DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS IT APPEARS IN THE RECORDS OF THE CITY CLERK OF THE CITY OF ST. PETERSBURG, FLORIDA. WITNESS MY HAND AND SEAL OF SAID CITY, THIS 26 DAY OF January A.D. 1995.
JANE K. BROWN, CITY CLERK
CITY OF ST. PETERSBURG, FLORIDA
BY: _____

INCORPORATED A.D. 1903 FLORIDA

RETURN TO
CITY CLERK
P.O. BOX 2842
ST. PETERSBURG, FL 33731

KARLEEN F. DEBLAKER, CLERK
RECORD VERIFIED BY: SF

SKETCH OF DESCRIPTION

(NOT A BOUNDARY SURVEY)

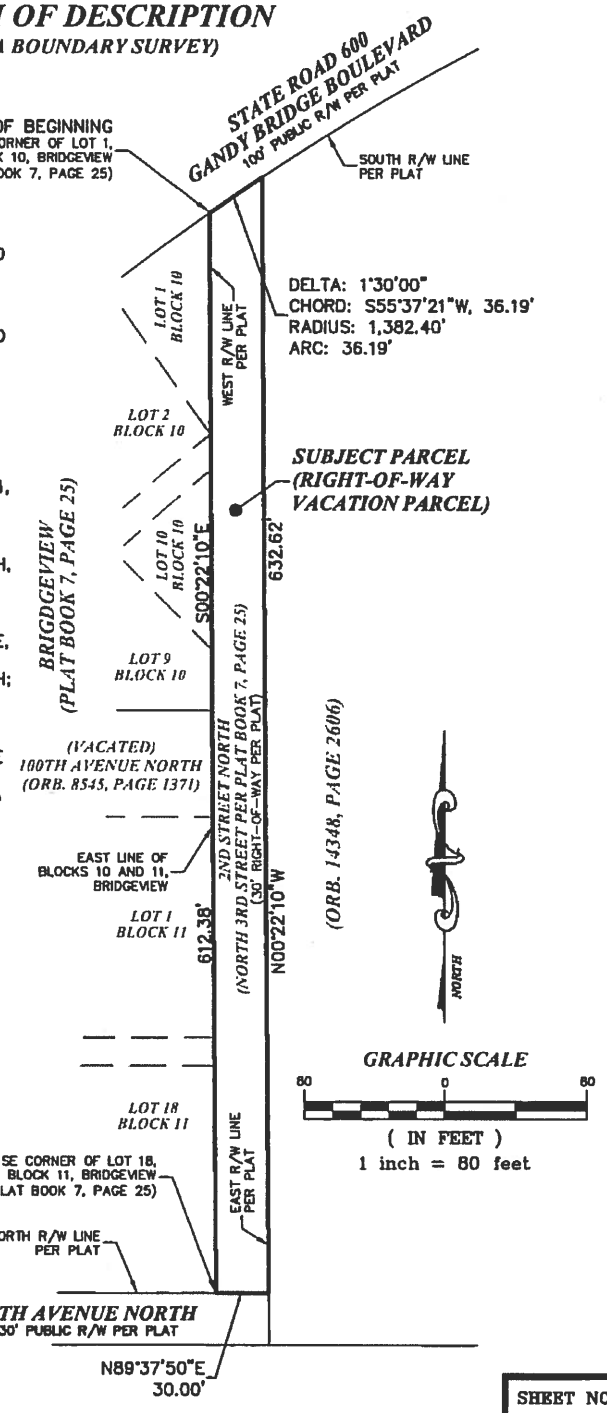
Exhibit "A"

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF 2ND STREET NORTH (NORTH 3RD STREET AS DEPICTED IN PLAT BOOK 7, PAGE 25, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA) LYING SOUTH OF GANDY BRIDGE BOULEVARD (100 FOOT RIGHT-OF-WAY WIDTH), EAST OF BLOCKS 10 AND 11, BRIDGEVIEW, AS RECORDED IN PLAT BOOK 7, PAGE 25, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 30 SOUTH, RANGE 17 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, OF SAID BLOCK 10, BRIDGEVIEW; THENCE S00°22'10"E, ALONG THE EAST LINE OF SAID BLOCKS 10 AND 11, AND THE WEST RIGHT-OF-WAY LINE OF SAID 2ND STREET NORTH, A DISTANCE OF 612.38 FEET TO THE SOUTHEAST CORNER OF LOT 18, BLOCK 11 AND THE NORTH RIGHT-OF-WAY LINE OF 99TH AVENUE NORTH; THENCE, DEPARTING SAID EAST LINE, N89°37'50"E, A DISTANCE OF 30.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID 2ND STREET NORTH; THENCE, N00°22'10"W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 632.62 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF GANDY BRIDGE BOULEVARD AND A POINT ON THE ARC OF A NON-TANGENT CURVE; THENCE 36.19 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,382.40 FEET AND CENTRAL ANGLE OF 01°30'00" (CHORD BEARING S55°37'21"W, A DISTANCE OF 36.19 FEET) TO THE POINT OF BEGINNING.

CONTAINING 18,678 SQUARE FEET OR 0.429 ACRES, MORE OR LESS.



LEGEND

ABBREVIATIONS	
(D)	DEED MEASUREMENT/CALL
DEPT.	DEPARTMENT
(F)	FIELD MEASUREMENT
ID	IDENTIFICATION
LB	LICENSED BUSINESS NUMBER
LS	LICENSED SURVEYOR
ORB.	OFFICIAL RECORDS BOOK
(P)	PLATTED MEASUREMENT/CALL
P.L.S.	PROFESSIONAL LAND SURVEYOR
R/W	RIGHT-OF-WAY

SHEET NO. 1 OF 1

EBI Surveying
8415 Sunstate Street
Tampa, Florida 33634
Phone: (813) 886-6080 / Fax: (813) 886-6081
Certificate of Authorization Number: LB-7652

SURVEY REPORT:
1. UNLESS DIGITALLY SIGNED AND SEALED, THIS SKETCH OF DESCRIPTION AND/OR REPORT OR THE COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION WAS MADE UNDER MY DIRECTION AND MEETS THE STANDARDS OF PRACTICE REQUIREMENTS OF CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

Jeffrey L. Kohler License Number 6201 STATE OF FLORIDA Professional Surveyor and Mapper

Digitally signed by Jeffrey Kohler
Date: 2017.07.13 17:40:47 -04'00'

JEFFREY L. KOHLER, PSM
License Number: LS-6201
Date Signed: _____

DATE: 7/13/2017
DRAWN: FRV
CHECKED: JLK
REVISION:
FILE: EM07RW-VACATIONSODX.dwg

PROJECT NUMBER:
EMCO0007

SKETCH OF DESCRIPTION

RIGHT-OF-WAY VACATION

PART OF SECTION 19

TOWNSHIP 30 SOUTH, RANGE 17 EAST
PINELLAS COUNTY, FLORIDA

st.petersburg
www.stpete.org

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

STAFF REPORT

DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST PUBLIC HEARING

For **Public Hearing** and **Executive Action** on **October 4, 2017,** beginning at 2:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Economic Development Department records, **no Commission member** 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.

CASE NO.: 17-54000050 PLAT SHEET: G-16

REQUEST: Approval of a Variance to minimum lot width from 50-feet to 42.96 feet and 43-feet and lot area from 5,800 s.f. to 4,248 and 4,302 s.f. for two (2) platted lots under common ownership to allow for the construction of two (2) single-family homes.

OWNER: 28th Avenue Ventures, LLC
356 22nd Avenue Northeast
Saint Petersburg, Florida 33704

AGENT: Dillon Alderman
Alderman Planning Company
PO Box 55755
Saint Petersburg, Florida 33732

ADDRESS: 1313 28th Avenue North

PARCEL ID NO.: 12-31-16-74286-000-0050

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional-2 (NT-2)

Dimension	Required	Requested	Variance	Magnitude
Lot Area (Lot 5)	**5,800 sq. ft.**	**4,302 sq. ft.**	**1,500 sq. ft.**	**26%**
Lot Area (Lot 6)	**5,800 sq. ft.**	**4,248 sq. ft.**	**1,552 sq. ft.**	**27%**
Lot Width (Lot 5)	**50 ft.**	**43.01 ft.**	**6.99 ft.**	**14%**
Lot Width (Lot 6)	**50 ft.**	**42.96 ft.**	**7.04 ft.**	**14%**

BACKGROUND: The subject property consists of two platted lots of record (Lots 5 and 6 of Erle Renwick Sub No. 1 Subdivision) and is located within the Woodlawn Neighborhood, see attached location map. The subject subdivision was recorded on October 31, 1923 (see attached Subdivision Plat). Property appraiser records indicate that the single-family home on Lot 5 was constructed in 1932. According to City property card records the property was originally developed with one single-family residence on Lot 5 and a 3-room garage apartment/2 car garage was constructed on Lot 6 in 1935. The NT-2 zoning allows one single-family home and one accessory dwelling unit, therefore the existing use is considered to be conforming.

Based on a review of the available deeds, the lots have been under common ownership since at least 1977. The current property owner purchased the property in May of 2017 (per Pinellas County Property Appraiser records). The subject property is currently zoned Neighborhood Traditional–2, which requires a minimum lot width of 50-feet and a minimum lot area of 5,800 square feet. The subject lots are 43-feet wide and approximately 4,300 square feet in area, and are therefore considered to be substandard.

During the review of the regulations by City Council starting in March of 2015, Council made the decision to change the code to restrict development on substandard lots, requiring a variance review to determine if development would be consistent with the surrounding neighborhood pattern. Restrictions were in place from 1973 through 2003 which limited development of non-conforming lots if the lots were in common ownership. City code was changed in 2003 to allow development on any platted lot of record. Council found that in some neighborhoods, development of substandard lots would not be consistent with the surrounding development pattern and allowing two homes in an area that historically developed on more than one platted lot could be detrimental to the neighbors and the overall character of the neighborhood. On September 17, 2015, City Council amended the non-conforming lot regulations, thereby eliminating the right to build on these substandard lots without first obtaining a variance.

REQUEST: The applicant seeks a variance from the lot width and area requirements to allow the existing structures to be demolished and replaced with two two-story single-family homes, see attached site plans, floor plans and elevations. Both homes have 2,330 square feet of living area with a 528 square foot garage accessed from the alley.

COMPLIANCE WITH AMENDMENTS TO LDRs: The proposed FAR is .67, which exceeds the recently amended Land Development Regulations, adopted on July 20, 2017 and effective on July 28, 2017, Ord. 287-H. The application was submitted on July 17, 2017, and therefore the previous code applies to this review, and a variance to the new code is not necessary. The current code now limits FAR to 0.40, allowing bonuses up to 0.60 maximum. The proposed homes would qualify for the front porch bonus of 0.08.

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

1. *Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other*

structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:

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

   The variance would allow redevelopment of the existing platted lots of record with two single-family homes (one home on each lot), utilizing an existing developed site.

b. *Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.*

   The individual platted lots are deficient in regards to minimum lot width and area required for the NT-2 zoning district and are therefore considered to be substandard.

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

   The site is not located within a locally designated preservation district.

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

   This criterion is not applicable.

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

   This criterion is not applicable.

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.*

   Staff analyzed the development pattern of the subject block and adjacent blocks, see attached study area exhibit and study area tables below. The portion of the Woodlawn Park Neighborhood that was included in this study area is unique in that it includes a total of six blocks which were platted among six different subdivisions. The subdivisions consist of a variety of lot sizes, ranging from the subject lots which are the smallest at 43-ft by 100-feet to 62-feet by 139.6-feet. The majority of the lots are platted at a width of 50-feet and a depth of 125-feet.

   Comparing the original Earle Renwick subdivision plat to the current development pattern shows that the lots were platted at widths between 43 and 44.5 feet, and all of the lots are substandard to area. 84 % of the homes are on one platted lot. In the analysis of the six block study area (see attached Neighborhood Lot Exhibit), 24.64% of properties within the study area are substandard to width and 24.38% are substandard as to minimum lot area. 98 of the 122 parcels were developed with one single-family home on one platted lot of record (approximately 79%). The remainder of the parcels were developed with at least one platted lot.

Table 1: Study Area Width Area Analysis (Subject block and surrounding blocks)

Block	Conforming width	Substandard Width	% Substandard Width
Subject Block*	12	12	50.00%
Block 2**	9	7	43.75%
Block 3	20	1	4.76%
Block 4**	15	5	25.00%
Block 5	13	3	18.75%
Block 6	34	2	5.56%
Average			**24.64%**

*Includes subject parcels as one conforming lot

****Excludes church parcels**

Table 2: Study Area Lot Area Analysis (Subject block and surrounding blocks)

Block	Conforming Area	Substandard Area	% Substandard Area
Subject Block*	12	12	50.00%
Block 2**	7	9	56.25%
Block 3	20	1	4.76%
Block 4**	16	4	20.00%
Block 5	14	2	12.50%
Block 6	35	1	2.78%
Average			**24.38%**

*Includes subject parcels as one conforming lot

****Excludes church parcels**

Table 3: Analysis of homes on one platted lot

Block	# One Platted Lot	# Multiple Lots	% One Platted Lot
Subject Block*	19	5	79%
Block 2**	9	5	64%
Block 3	14	3	82%
Block 4**	11	3	79%
Block 5	13	3	81%
Block 6	32	5	86%
Average			**78.69%**

*Includes subject parcels as one conforming lot

****Excludes church parcels**

The size of the subject lots are not consistent with the overall neighborhood pattern where 75% of the homes are on conforming lots, however they do have a degree of compatibility with the subject subdivision and the immediate block face. The four neighboring lots to the east of the subject property are similarly substandard in terms of lot area and lot width, and two new homes were recently constructed on the next block to the east, see Exhibit 2 for photos. This portion of the block face is consistently narrower than the surrounding blocks faces to the east, west and south.

Although there is some degree of consistency within the subject subdivision, and the size and scale of the proposed homes would be compatible with surrounding properties, because there is not a predominant pattern of substandard lots along the 28th Ave N. corridor or within the study area consisting of the surrounding blocks, staff finds that the application is not consistent with the established development pattern of the neighborhood and therefore is unable to recommend approval of the request.

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

The proposed project does not involve the development of public facilities.

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

The development pattern is not the result of any action of the applicant.

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

The property can continue to be used for one single-family home and one accessory dwelling unit; therefore, a literal enforcement would not result in an unnecessary hardship.

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;*

   Application of the minimum lot size requirements of the zoning district does not deprive the property owner of the right to build a new single-family residence and one accessory dwelling unit on the two platted lots, if combined.

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

   The applicant may continue to utilize the site for a single-family residence and an accessory dwelling unit. However, if the variance to lot width and area were granted, the redevelopment proposal by the applicant would allow reasonable use of the property for two two-story homes.

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

   Based on the analysis of the development pattern of neighboring properties, Staff finds that granting the variance would not be in harmony with the general purpose and intent of the recently amended Land Development Regulations. However, the request would be in harmony with the purpose of permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood in terms of the scale of the homes, which are proposed to be single-story.

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

   The development of the property with two two-story single-family homes would not be injurious to neighboring properties or detrimental to the public welfare. The applicant is meeting the newly adopted NT standards for building coverage (required 50%; proposed 33%) and setback limits (required 5-feet; proposed 6-12-feet). As previously noted, the applicant is not meeting the current FAR limit, however, staff finds that these are substantially substandard lots with respect to area, and the proposed homes are appropriately sized to the lots, with side yard setbacks significantly greater than required. The applicant is providing a 12-14 foot setback to the property line on the east, abutting the easterly neighbor, setbacks between the two homes which equate to an 18-foot separation between the homes, and there is an existing alley on the west which provides additional separation to the next property to the west, of 22 feet.

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

   Staff does not find that the reasons set forth in the application are sufficient to grant the requested variances. See attached applicant narrative.

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.

PUBLIC COMMENTS: Staff received several calls and email requesting additional information and one email in opposition, which is attached to this report. No comments were received from the Woodlawn Neighborhood Association.

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Economic Development Department Staff recommends **DENIAL** of the requested variance.

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

1. The design of the two homes shall be substantially similar to the plans submitted with this application and shall meet the setback requirements of the NT-2 district.
2. The applicant shall provide a Parcel ID number for the each lot at time of submittal of the building plans for permitting.
3. This variance approval shall be valid through October 4, 2020. Substantial construction shall commence prior to this expiration date or the parcels shall be separately conveyed. A request for extension must be filed in writing prior to the expiration date.
4. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

Report Prepared By:

Elizabeth Abernethy 9-28-17

Elizabeth Abernethy, ACIP, Zoning Official (POD) Date
Development Review Services Division
Planning & Economic Development Department

List of Exhibits:
Exhibit 1: Project Location Map, Subdivision Plat, Property Cards
Exhibit 2: Neighborhood Lot Exhibit and Photographs
Exhibit 3: Floor Plans, Elevations and Site Plans
Exhibit 4: Applicant's Narrative, Exhibits and Photographs
Exhibit 5: Correspondence

SPECIAL CONDITIONS OF APPROVAL:

1. Prior to approval of the building permit, the applicant shall engage a Certified Arborist to prepare a tree preservation plan for review, approval, and implementation. The Plan shall include details of methods to protect and preserve the vitality of the Grand Live Oak Tree on the property, such as but not limited to root pruning, canopy pruning, fertilization program, and detailed methods of construction to avoid major roots. Upon approval of the tree preservation plan, prior to initiation of construction, the applicant shall mark the footprint of the proposed structure(s) within 20-feet of the tree and schedule a field review with the City Urban Forester.
2. Proposed impervious surface calculations shall be provided at time of permitting and shall not exceed 60% of the total area of the site, as prescribed by City Code Section 16.20.020.6.
3. This variance approval shall be valid through **September 27, 2020.** Substantial construction shall commence 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.
4. Approval of this variance does not grant or imply variances from other sections of the City Code or other applicable regulations.

Please feel free to contact Brittany McMullen at 727-892-5807 with any questions.

Sincerely,

Elizabeth Abernethy, AICP
Zoning Official (POD)
Development Review Services Division

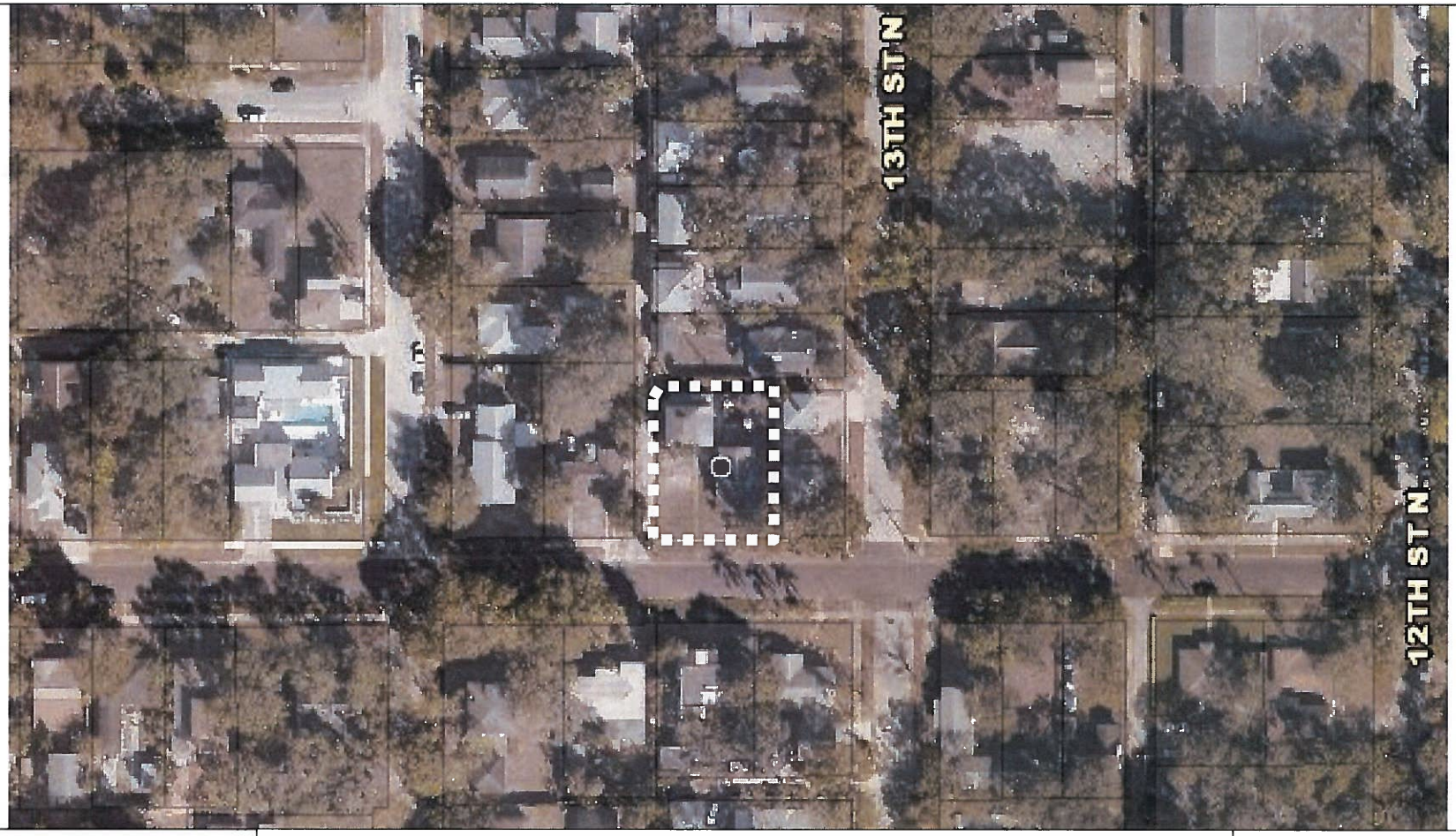
Attachments: aerial location map, existing survey, proposed site plan, proposed floor plans, elevation drawings

ec: Elizabeth Craig; cindyanncraig@msn.com
Milton Massanet; suncoastconstruct@outlook.com

Exhibit 1

Case #17-54000050

Project Location Map, Subdivision Plat, Property Cards



st.petersburg
www.stpete.org

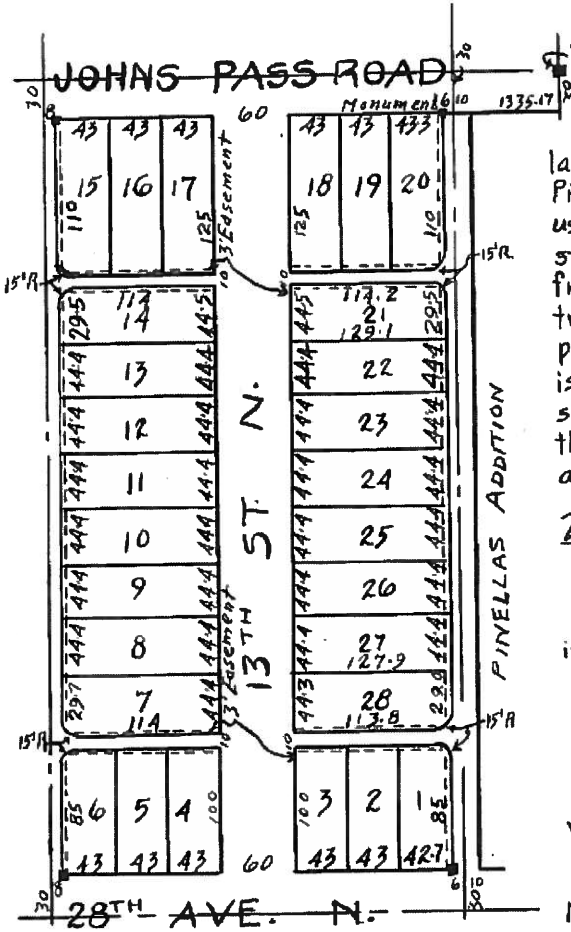
City of St. Petersburg, Florida
Development Review Services
Case No.: 17-54000050
Address: 1313 28th Avenue North

N

(nts)

ERLE RENWICK SUB^N. NO. 1

BEING THE E½ of NE¼ of NW¼ of SE¼
of SEC. 12. TWP. 31 S, R16 E.
PINELLAS COUNTY, FLORIDA



I, the undersigned hereby certify that I am the owner in fee simple of a tract of land described as the E½ of NE¼ of NW¼ of SE¼ of Sec. 12, Twp. 31 S, R16E, Pinellas County, Fla. platted as Erle Renwick Sub. No. 1 that I hereby dedicate to public use all, all streets and alleys shown on this plat of the subdivision of the same; it being stipulated that alleys shall be 16 ft. wide, and that a right of way 3 ft. wide is reserved from each lot abutting on an alley, on each side, on each side of such alley, except two ten ft. alleys with a three ft. easement on each side as shown, for location of public utilities, including poles and conduits for wires and pipes; that this subdivision is permanently marked upon the ground by concrete monuments, in the locations shown on said plat and connected with land division corners as shown, and that the dimensions angles and lengths together with connections of monuments as shown are correct and entirely within the boundaries of said plat as above described.

Wallace Tishken
Witness

Erle B. Renwick Trustee
Owner

I hereby certify that the above described property has been surveyed and monuments set as indicated and that the dimensions, angles and lengths together with connections are correct

G. F. Young
Engineers License No. 231

Approved for record Ernest Kitchen
Director of Public Works

Witness my hand and seal this 31 day of Dec 1923

Oscar W. Gilbart,
Notary Public, State at Large

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES, NOV 6 1927

My commission expires.

Com. Expires Nov 6 1927

OSCAR W. GILBART NOTARY PUBLIC STATE OF FLORIDA AT LARGE

Scale 1" = 100'

Filed Jan. 7, 1924, 8:30 A.M.

SUBDIVISION

PERMIT NO. DATE

LOCATION 1313-28th.Ave.,No.

OWNER

CONTRACTOR

ARCHITECT

KIND BLDG. ROOMS

SIZE

CU. FT. RATE PER CU. FT.

COST

OCCUPANCY

FOUNDATION ROOF

FLOORS PARTITIONS

#55352. 7/7/45. $500.00
Mrs.Pearl E.Hilton.Raze rotted part & rebuild-remodel & repair.
#98294-D - 3/13/53 - $600
Owner C. J. DeSutter - Reside main residence (Type VI)
Herbert Construction Co., Contractor
#3835A-D - 1/20/54 - $250
Owner C. J. DeSutter - Repair and glass in front porch

(Over)

SIGN PERMIT No. DATE

ELECTRICAL PER. No. DATE

OWNER

CONTRACTOR

OPENINGS—

6250 7-25-45 Conover
Mrs Hutton 1c 2s 4p 2ws 1mtr
#7712C - 1/10/52 - C.DeSutter
Brinson - 3ws 2-meters 1-range 1-w.heater

FIXTURE PER. No. DATE

OWNER

CONTRACTOR

CERTIFICATE No. DATE

ISSUED TO—

#1702J - 5/12/66 - J. R. Mullin
Frank Lowry - 100amp 3ws 1-meter 1-HP A/C

GAS PERMIT No. #G5095 DATE 12/2/69

OWNER J. Mullin

CONTRACTOR Leland Plumbing

FIXTURES—Piping - Space Heaters - Natural Ga s.
#G6949A - 12/20/79 - Mickey Green Batton Plbg - 1-range 1-fyre log 2-openings (nat'l gas)

PLUMBING PER. No. 23675 DATE 8-21-46

OWNER Smith

CONTRACTOR John Hay 12-31-16

FIXTURES— sink G-16
#6631 - 2/5/49 - Sutter
J.Hodge - sink - ewh

O. K. DATE

#8275K - 5/14/62 - Newby & Jonas Gill & Stephens - Replace 1-closet and 1-bath

SEWER PER. No. 8879D DATE 1/2/57

OWNER C. J. DeSutter

CONTRACTOR Robertson Plbg.

O. K. DATE $5.00 tap

SEPTIC TANK PER. No. DATE

OWNER

CONTRACTOR

O. K. DATE

#30210A-B - 6/10/59 - $175
Owner Miss LeBlanc - Screen in carport (Type VI) John A. Whitaker, Contractor (1320 - 30th Ave. No.)

#77903A-R2 - 5/11/62 - $500
Owner C. J. DeSutter - Interior alterations in existing building and replace bath fixtures 1-B 1-C 1-L (Type VI) James Newby, Contractor

#34676-R3 - 8/11/75 - $2500
Owner Wendell E Canten - Aluminum siding-fascia and soffit- replace six jalousie windows with aluminum awning windows - Bonded Aluminum Industries, Contractor

#73421-RS75- 9/8/80- $970
Owner W Berry- Reroof res; strip and reroof Class A over 30 base 4½/12 pitch (Type V) C M Tibbetts Sr, Contractor

ELECTRICAL

#E5344B - 5/25/70 - Van Collins Electric - 100-Amp 1-Phase 1-Meter 1p

#E9644F- 9/27/77- Jay Larick - Allcorn-Brinson Elec - 3-recp

SUBDIVISION Fleetwood Park Sub LOT 2 BLOCK

PERMIT NO. DATE
LOCATION 1323-28th Ave., No
OWNER
CONTRACTOR
ARCHITECT
KIND BLDG. ROOMS
SIZE
CU. FT. RATE PER CU. FT.
COST
OCCUPANCY
FOUNDATION ROOF
FLOORS PARTITIONS
#33637 6/25/35 S.L.Marshall
3 rm Gar. Apt & 2 car $1200
#4252A-D - 2/15/54 - $250
Owner C. J. DeSutter - Enclose
stairway east side of garage
apartment B of A. 2/12/54
(#10)
[illegible]
[illegible] remove off
[illegible]
#34677-R3 8/11/75 - $2250
Owner: Wendell Canto - alum. siding
fascia and soffit-res.(Type)
Bonded Alum. Industries, Contr.

SIGN PERMIT NO. DATE

ELECTRICAL PER. NO. 7244 DATE 12-10-45
OWNER S.L.Marshall
CONTRACTOR L.W.Johnston
FITTINGS floor furnace
#22283 - 2/2/49 - C.DeSutter
Andrews - 1sw 3-#6 2-meters
1-range 1-w.heater

FIXTURE PER. No. DATE
OWNER
CONTRACTOR
CERTIFICATE No. DATE
ISSUED TO
#20412-7/22/35-S L Marshall
Seaman & Elston-16 outlets-
OK 9/17/35-Cert 7649.

GAS PERMIT No. 7446 DATE 6-27-35
OWNER S.L.Marshall
CONTRACTOR G.Sheffield.No O.K.
FIXTURE Range.Water htr.No cer

CERTIFICATE No. DATE
ISSUED TO

PLUMBING PER. No. 8105 DATE 6/27/3
OWNER S L Marshall
CONTRACTOR Guy Sheffield
FIXTURES— 1 closet---1 lav
1 sink---1 bath

O. K. DATE 6/28/35
#1517A - 1/9/52 - DeSutter
R.R.Earl - ewh

SEWER PER. No. 8878D DATE 1/2/57
OWNER C. F. DeSutter
CONTRACTOR Robertson Plbg.
O. K. DATE $5.00 tap

SEPTIC TANK PER. No. 3117 DATE 6/27/35
OWNER S D Marshall
CONTRACTOR Guy Sheffield
O K. DATE 6/28/35

BUILDING PERMITS

#86767-RS75-9/13/82-$975.
Owner: W. Berry-Strip & reroof fiberglass strip shingles over 30# base, 5/12 pitch (Type VI) C. M. Tibbetts, Sr.-Contractor. (1321 28 Ave. North-garage apt.)

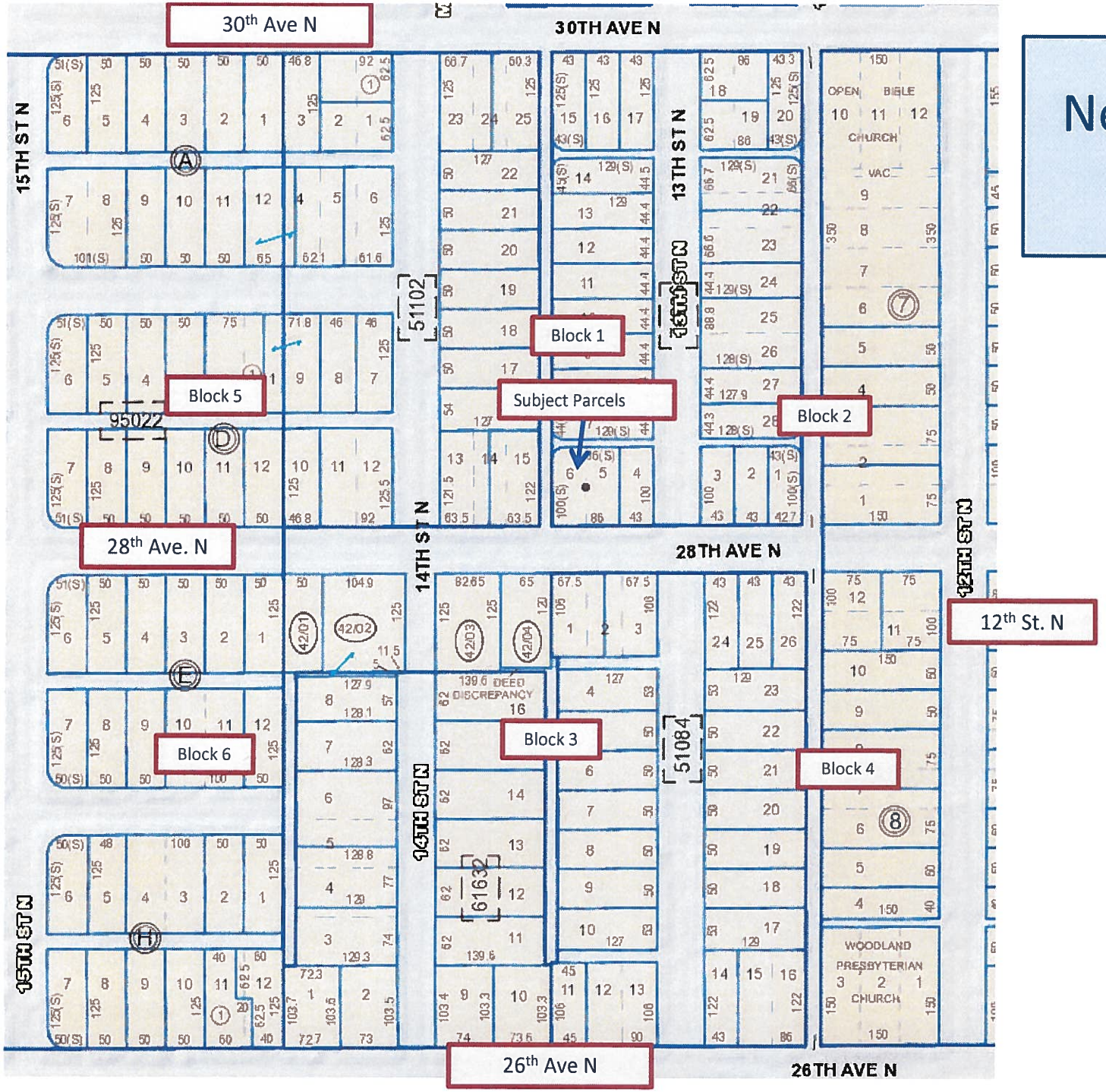
#E9437C-11/10/71- [illegible]
Harrell Elec- 100amp serv.
ph. 1 3-recp. 1-2HP Rm. A/C

Exhibit 2

Case #17-54000050

Neighborhood Lot Exhibit and Photographs

Neighborhood Lot Exhibit



Subject Property

New homes on block to east by applicant

Exhibit 3

Case #17-54000050

Floor Plans, Elevations and Site Plans

Landscaping Legend & Specifications

PROPOSED TREE: SOUNTHERN MAGNOLIA, (MAGNOLIA GRANDIFLORA) 8' MIN. HEIGHT, FLORIDA GRADE NO. 1 OR BETTER – PLANTING LOCATION SHOWN THUS:

PROPOSED IXORA (IXORA COCCINEA) SHRUB 18" MIN. HEIGHT, – PLANTING LOCATION SHOWN THUS:

IRRIGATION NOTE: PROPERTY IRRIGATION TO BE IN-GROUND, MULTI-ZONE IRRIGATION SYSTEM ON TIMER CONTROL.

SOD: SODDED AREAS SHALL BE ST AUGUSTINE TURF. (NO MORE THAN 50% OF PERMIABLE AREA OF LOT TO BE SODDED) – SOD GROUND IN RIGHT-OF-WAY IN FRONT OF LOT.

Plan Legend

ROOF LINES SHOWN THUS:

ROOF SLOPE SHOWN THUS:

LEGEND:

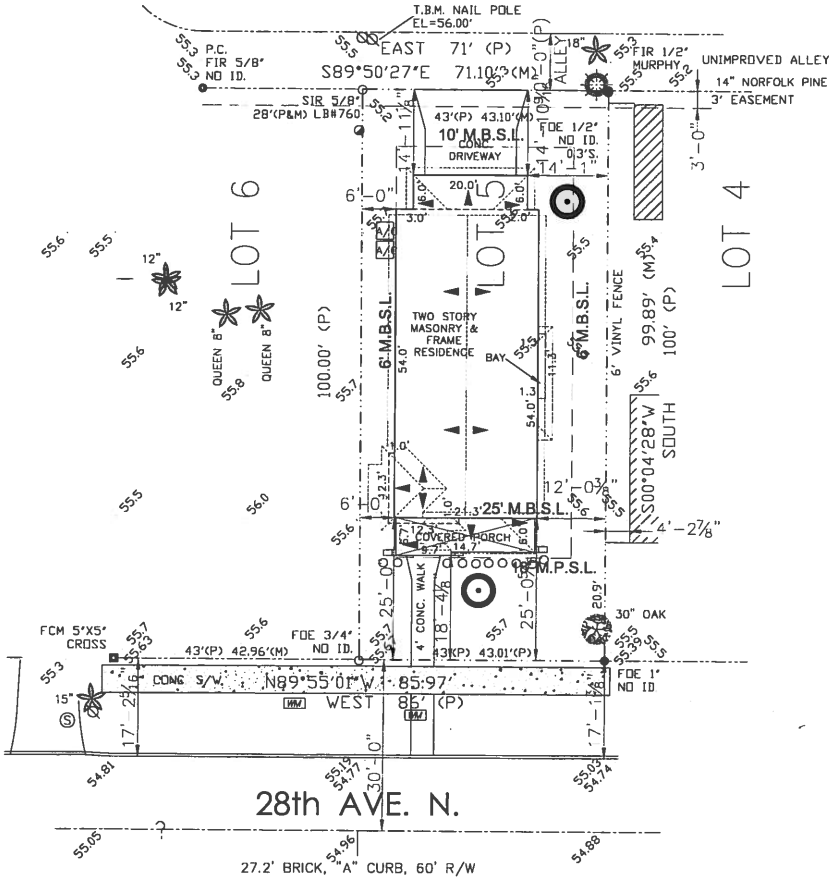
FIR	=	FOUND IRON ROD
CH	=	CHORD
M	=	FIELD MEASUREMENT
P	=	PLAT
CONC	=	CONCRETE
R/W	=	RIGHT OF WAY
FOE	=	FOUND OPEN END PIPE
SIR	=	SET IRON ROD
P.C.	=	POINT OF CURVATURE
S/W	=	SIDEWALK
FCM	=	CONC. MONUMENT
T.B.M.	=	TEMP. BENCHMARK
C/C	=	COVERED CONCRETE
WF	=	WOOD FENCE
P.L.	=	PROPERTY LINE
WM	=	WATER METER
	=	CLEANOUT
	=	CABLE T.V.
	=	POWER POLE
	=	TRAFFIC SIGN
Ⓢ	=	SANITARY MANHOLE
DIA"	=	PALM TREE
0.00	=	SPOT ELEVATION

Flood Zone
"X" AREA OF MINIMAL FLOOD HAZARD
COMMUNITY PANEL #125148 12103C0217 G,
REVISED 9/3/03
Basis of Bearings:
WEST BOUNDARY
ASSUMED NORTH (PER PLAT)
Benchmark:
COUNTY #1664 Y45 (USCG)
EL. = 56.300' N.G.V.D., ADJUSTED TO
EL. = 55.63' N.A.V.D. M.S.L. = 0.00'

LEGAL DESCRIPTION

LOT 6, ACCORDING TO THE PLAT OF
ERLE RENWICK SUBN. NO. 1
AS RECORDED IN PLAT BOOK 6, PAGE 28
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

SECTION 12, TOWNSHIP 31S, RANGE 16E



1"=10'

Site Data Table

DESCRIPTION:	REQUIRED/ ALLOWED:	ACTUAL AREA:
LOT AREA:	5800 SF	4302 SF
LOT WIDTH:	50 FT	43 FT
FRONT YARD (1076SF) IMPERVIOUS AREA:	45% (484SF)	22% (236SF)
TOTAL IMPERVIOUS AREA:	65% (2796SF)	46% (1976SF)
BUILDING COVERAGE AREA:	50%	38% (1622SF)
BUILDING FLOOR AREA RATIO:	N/A	0.66 (2858 SF)

Project No. APC-1718 - Scale: 1"=10'-0"

Lot 5 Residence
1313 28th Avenue North
St Petersburg, Florida

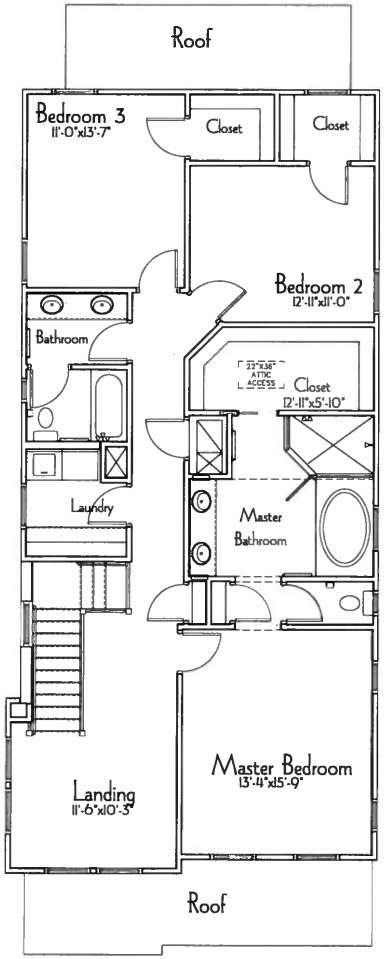
Date Issued: 04-25-17

No.:	Date:	Revision:

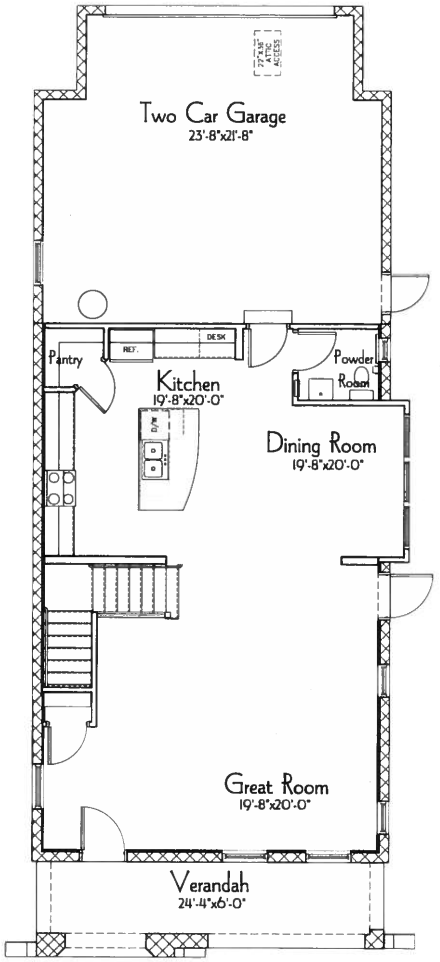
Site Plan

ALDERMAN Planning COMPANY
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL, 33732

Sheet
A5.0.1



2nd Floor



1st Floor

Area Tabulation	
LIVING AREA	
1ST FLOOR:	957 SqFt
2ND FLOOR:	+1373 SqFt
TOTAL LIVING AREA:	2330 SqFt
GARAGE:	+528 SqFt
TOTAL ENCLOSED:	2858 SqFt
COVERED OPEN AREAS:	+152 SqFt
TOTAL UNDER ROOF:	3010 SqFt

N
W E
S

J. S. NAGAMIA, P. E., No. 19241
1104 61st STREET
TEMPLE TERRACE, FL 33617
PHONE: (813) 988-0727

DATE

Project No. APC-1718 - Scale: 1/4"=1'-0"

Lot 5 Residence
1313 28th Avenue North
St Petersburg, Florida

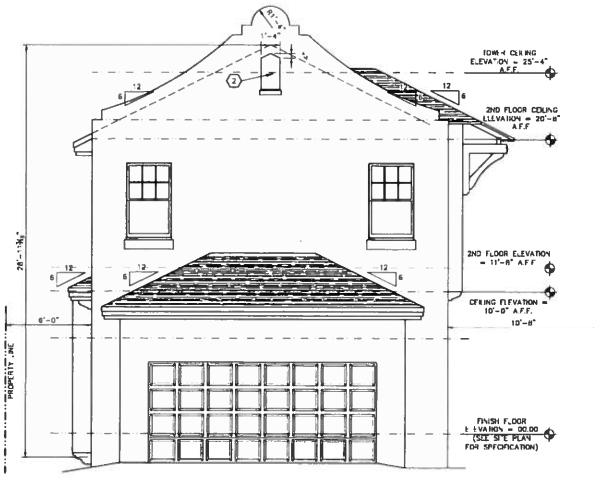
Date Issued: 04-25-17

No.:	Date:	Revision:

Floor Plans

ALDERMAN Planning COMPANY
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL, 33732

Sheet
A5.1.1



Rear (Northerly) Elevation

Right Side (Easterly) Elevation

Exterior Specifications

WALLS: PAINTED CEMENTITIOUS COATING.

WINDOWS: SEE WINDOW SCHEDULE

ROOF: SPANISH 'S' TERRA COTTA TILE.

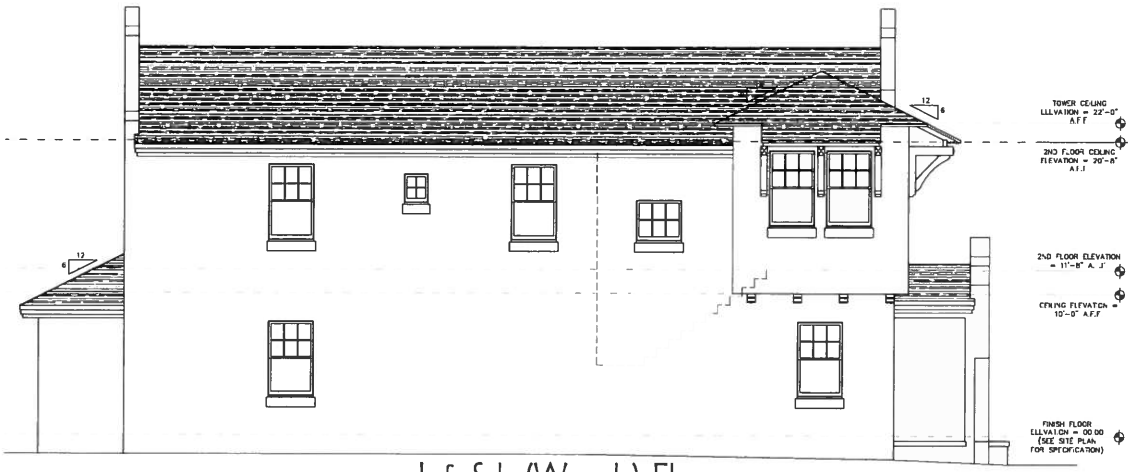
FACIA: ALUMINUM WRAPPED 2X.

EAVES: PAINTED HARDIE SOFFIT

TRIM DETAILS: CEMENTITIOUS COATED RIGID FOAM

DOORS: SEE DOOR SCHEDULE

A.F.F. = ABOVE FINISH FLOOR ELEVATION



Left Side (Westerly) Elevation

Front (Southerly) Elevation

J. S. NACAMIA, P. E. No. 19241
11104 81st STREET
TEMPLE TERRACE, FL 33617
PHONE: (813) 988-0727

DATE

Project No. APC-1718 - Scale: 1/4"=1'-0"

Lot 5 Residence

1313 28th Avenue North
St Petersburg, Florida

Date Issued: 04-25-17

No.:	Date:	Revision:

Elevations

ALDERMAN Planning COMPANY
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL, 33732

Sheet

A5.2.1

Landscaping Legend & Specifications

PROPOSED TREE: SOUNTHERN MAGNOLIA, (MAGNOLIA GRANDIFLORA) 8' MIN. HEIGHT, FLORIDA GRADE NO. 1 OR BETTER – PLANTING LOCATION SHOWN THUS: ⊙
PROPOSED IXORA (IXORA COCCINEA) SHRUB 18" MIN. HEIGHT, – PLANTING LOCATION SHOWN THUS: o
IRRIGATION NOTE: PROPERTY IRRIGATION TO BE IN–GROUND, MULTI–ZONE IRRIGATION SYSTEM ON TIMER CONTROL.
SOD: SODDED AREAS SHALL BE ST AUGUSTINE TURF. (NO MORE THAN 50% OF PERMIABLE AREA OF LOT TO BE SODDED) – SOD GROUND IN RIGHT–OF–WAY IN FRONT OF LOT.

Plan Legend

ROOF LINES SHOWN THUS: ----------
ROOF SLOPE SHOWN THUS: ►

LEGEND:

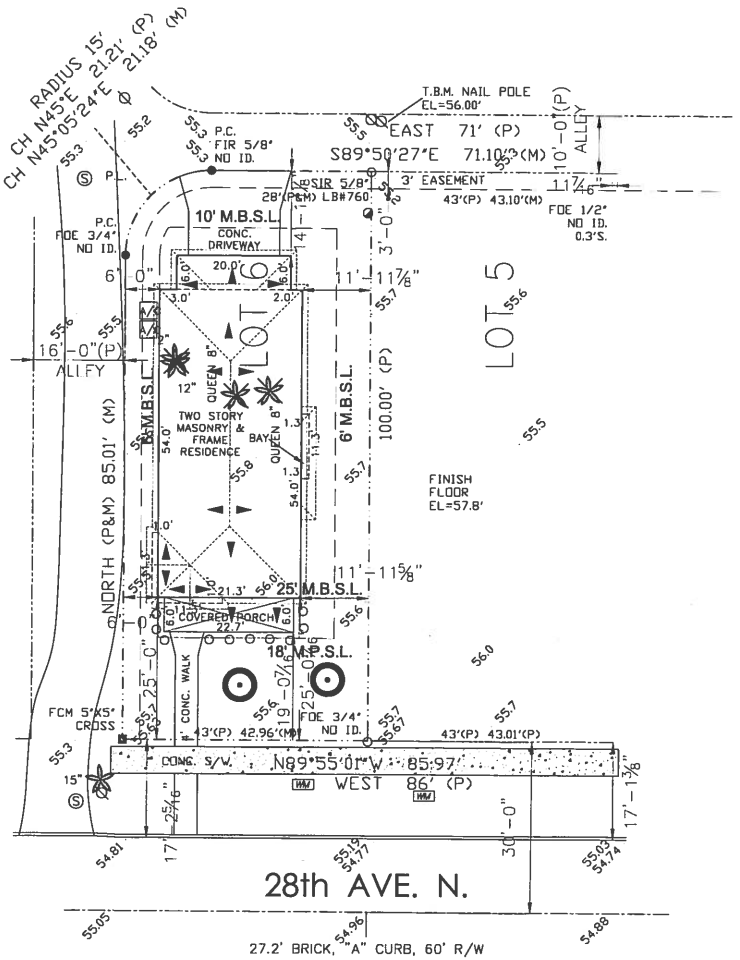
FIR	= FOUND IRON ROD
CH	= CHORD
M	= FIELD MEASUREMENT
P	= PLAT
CONC	= CONCRETE
R/W	= RIGHT OF WAY
FOE	= FOUND OPEN END PIPE
SIR	= SET IRON ROD
P.C.	= POINT OF CURVATURE
S/W	= SIDEWALK
FCM	= CONC. MONUMENT
T.B.M.	= TEMP. BENCHMARK
C/C	= COVERED CONCRETE
WF	= WOOD FENCE
P.L.	= PROPERTY LINE
WM	= WATER METER
CO	= CLEANOUT
CTV	= CABLE T.V.
	= POWER POLE
	= TRAFFIC SIGN
S	= SANITARY MANHOLE
DIA	= PALM TREE
0.00	= SPOT ELEVATION

Flood Zone
'X' AREA OF MINIMAL FLOOD HAZARD
COMMUNITY PANEL #125148 12103C0217 G,
REVISED 9/3/03
Basis of Bearings:
WEST BOUNDARY
ASSUMED NORTH (PER PLAT)
Benchmark:
COUNTY #1664 Y45 (USCG)
EL. = 56.300' N.G.V.D., ADJUSTED TO
EL. = 55.63' N.A.V.D. M.S.L. = 0.00'

LEGAL DESCRIPTION

LOT 5, ACCORDING TO THE PLAT OF
ERLE RENWICK SUBN. NO. 1
AS RECORDED IN PLAT BOOK 6, PAGE 28
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

SECTION 12, TOWNSHIP 31S, RANGE 16E



1"=10'

Site Data Table

DESCRIPTION:	REQUIRED/ ALLOWED:	ACTUAL AREA:
LOT AREA:	5800 SF	4248 SF
LOT WIDTH:	50 FT	43 FT
FRONT YARD (1075SF) IMPERVIOUS AREA:	45% (484SF)	20% (216SF)
TOTAL IMPERVIOUS AREA:	65% (2761SF)	46% (1954SF)
BUILDING COVERAGE AREA:	50%	38% (1606SF)
BUILDING FLOOR AREA RATIO:	N/A	0.67 (2858 SF)

Project No. APC-1718 - Scale: 1"=10'-0"

Lot 6 Residence
1313 28th Avenue North
St Petersburg, Florida

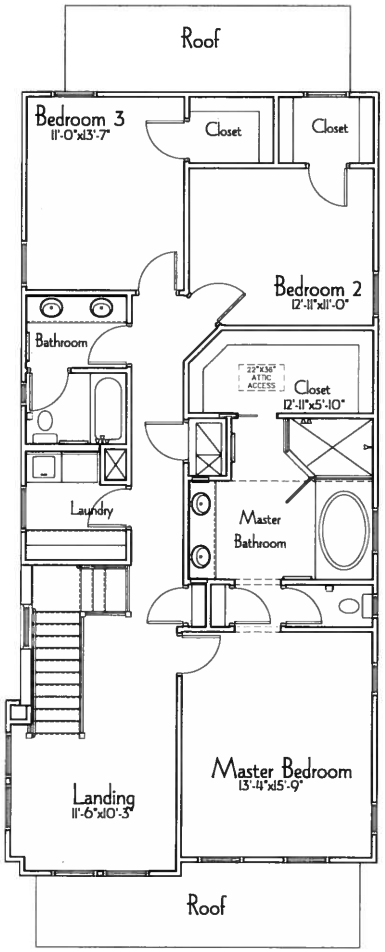
Date Issued: 04-25-17

No:	Date:	Revision:

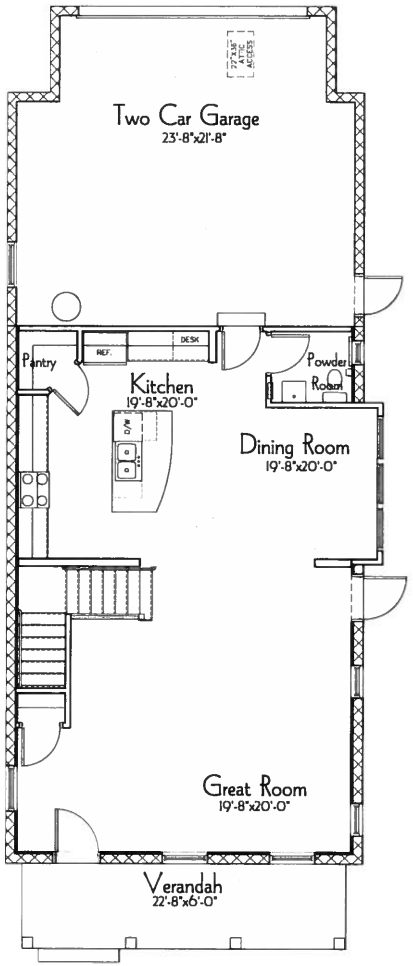
Site Plan

ALDERMAN Planning COMPANY
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL, 33732

Sheet
A6.0.1



2nd Floor



1st Floor

Area Tabulation	
LIVING AREA	
1ST FLOOR:	957 SqFt
2ND FLOOR:	+1373 SqFt
TOTAL LIVING AREA:	2330 SqFt
GARAGE:	+528 SqFt
TOTAL ENCLOSED:	2858 SqFt
COVERED OPEN AREAS:	+136 SqFt
TOTAL UNDER ROOF:	2994 SqFt

N
W E
S

J. S. NACHAMA, P. E. No. 18741
1104 61st STREET
TEMPLE TERRACE, FL 33617
PHONE (813) 988-0777

DATE

Project No. APC-1718 - Scale: 1/4"=1'-0"

Lot 6 Residence
1313 28th Avenue North
St Petersburg, Florida

Date Issued: 04-25-17

No:	Date:	Revision:

Floor Plans

ALDERMAN Planning COMPANY
Phone: 813.833.5161
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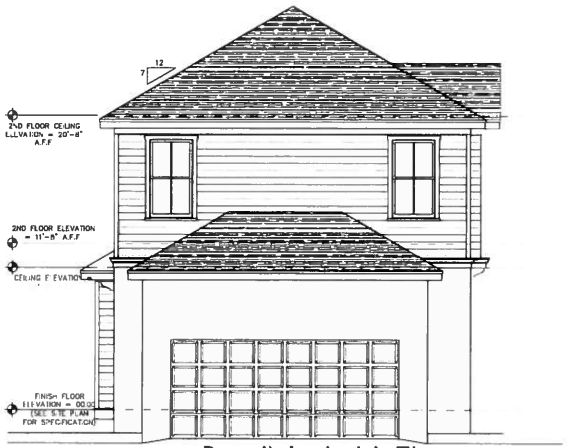
A6.1.1



Rear (Northerly) Elevation

Right Side (Easterly) Elevation

Exterior Specifications

WALLS: PAINTED HARDIPLANK LAP SIDING.

WINDOWS: SEE WINDOW SCHEDULE

ROOF: STANDING SEAM METAL & DIMENTIONAL FIBERGLASS SHINGLES.

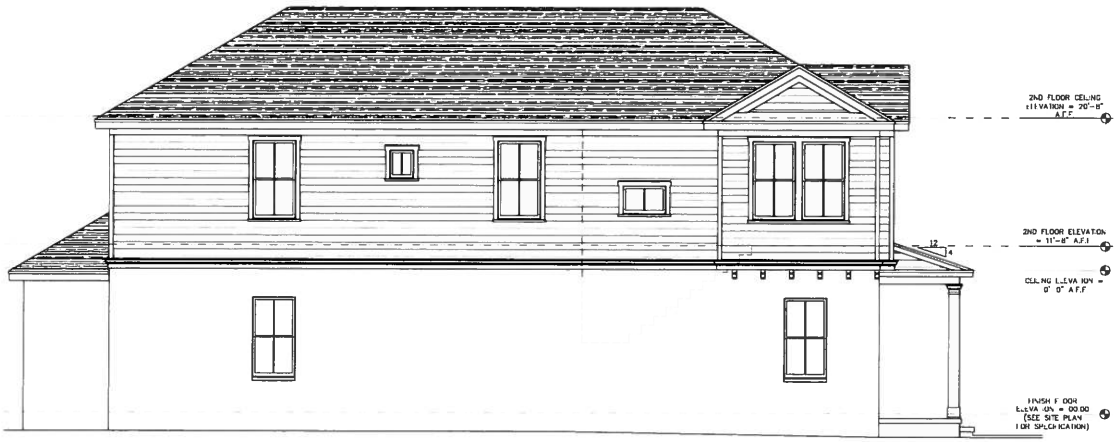
FACIA: ALUMINUM WRAPPED 2X.

EAVES: PAINTED HARDIESOFFIT

TRIM-DETAILS: HARDIETRIM

DOORS: SEE DOOR SCHEDULE

A.F.F. = ABOVE FINISH FLOOR ELEVATION



Left Side (Westerly - Alley) Elevation

Front (Southerly) Elevation

J. E. McCANN, P. E. No. 19241
1104 64th STREET E. / 33617
TEMPLE TERRACE, FL
PHONE: (813) 980-0727

DATE: ——

Project No. APC-1718 - Scale: 1/4"=1'-0"

Lot 6 Residence
1313 28th Avenue North
St Petersburg, Florida

No.:	Date:	Revision:
1	12/1/1/18	Add eave & wall distances

Date Issued: 04-25-17

Elevations

ALDERMAN Planning COMPANY
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL, 33732

Sheet
A6.2.1

Exhibit 4

Case #17-54000050

Applicant's Narrative, Exhibits and Photographs

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VARIANCE

NARRATIVE (PAGE 1)

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 by 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	
Street Address: 1313 28th Avenue N, St Petersburg, FL	**Case No.:**
Detailed Description of Project and Request: Split tax parcel into two platted lot in order to construct a single family home on each lot	

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

This property is unique because unlike the majority of the lots in its subdivision block is is not developed as single family homes each on thier own lot. The lots are unique in width because unlike the surrounding subdivisions, all the lots in this subdivision are platted with lot widths less than 45 feet wide, additionally the depth is unique in that these lots are located on the short end of the block and have been platted with shorter depth than those on the long side of the block.

2. Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced.

Yes, the third and fourth houses to the east are nearly identical in foot print and mass as the homes proposed for this project. The house directly adjacent to the east is also a two story home with a similar mass & form facing the street as what is proposed for this project

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

The requested variance is not the result of the applicant because the size of the lots were established by the lot dimensions of the original plat

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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 by 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 property can not be reasonably used without a variance to the required minimum width and area because the minimum zoning
standards do not match the width and area of the lots as established by the plat (which is the minium being requested).
Granting the variance will enhance the character of the neighborhood because it will enable the construction of two attractive
single family homes in harmony with the general development pattern of the neighborhood.
5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?
There is no viable alternative, the widths and areas of the two lots are established by the plat and they are uniform with the majority of the lots
in thier subdivision (speciffically the lots facing 28th Avenue North)
6. In what ways will granting the requested variance enhance the character of the neighborhood?
Please see item 4 above.

Elizabeth Abernethy

From: James Landers <james@aspenvg.com>
Sent: Monday, May 15, 2017 9:44 AM
To: Elizabeth Abernethy; 'Dillon Alderman'
Cc: 'Jim Gagliardi'
Subject: 1313 Substandard Lot Analysis
Attachments: 1313 Block Analysis.png; 1313 Block Facing.png

Liz,

See attached. If one were to loot at the IMMEDIATE block, here are the numbers

- 26 Lots Total
- 22 of them are substandard=***84%***
- Of the 4 non-substandard lots, 2 of them are a parking lot in the middle of a residential neighborhood. (12-31-16-74286-000-0250)
- Of the 5 lots this parcel FACES, 3 of the 5 are substandard. ***66%***

We would be hard pressed to find a block that is more substandard than this one. This should be an administrative

James

-26 Lots in tot
-22 are substa
-of the 4 non-
substandard l
them are a ch
parking lot
Parking
74286
STREET
N

129(S)
128(S)
86(S)
43(S)
100(S)
STREET
16(P)
67.5
106
127
129
51084
75
100

N
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Google Earth

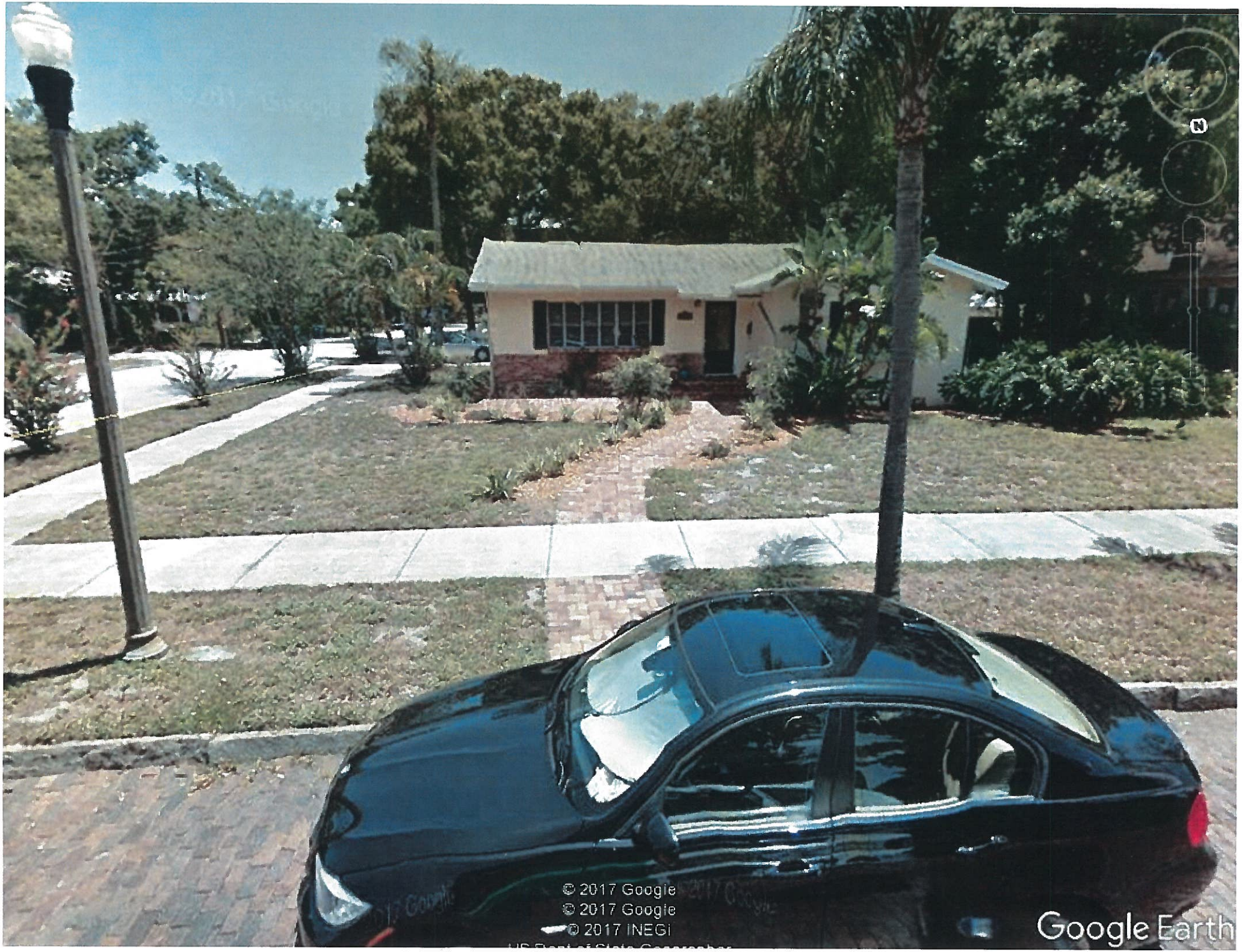
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Exhibit 5

Case #17-54000050

Correspondence

Elizabeth Abernethy

From: lani.calbi159@gmail.com
Sent: Sunday, September 24, 2017 8:05 AM
To: Elizabeth Abernethy
Subject: Re: Case No. 17-54000050

Dear Ms Abernethy,

My husband and I are neighbors residing at 1420 28th Ave North in St.Pete.
Thank you for notifying us of this request for a variance on 1313 28th Ave North.

We are strongly opposed to the approval of this variance.
It is not in the best interests of the Greater Woodlawn community.
It minimizes the importance of adequate natural surroundings and breathing space between single family homes to maximize investor's profits.

This is not good for the well being of our community.

Respectfully,
Lani Calbi and Feliche Baldi

Sent from my iPad

Elizabeth Abernethy

From: Elizabeth Abernethy
Sent: Monday, May 01, 2017 10:29 AM
To: James Landers; 'Dillon Alderman'
Subject: RE: 1313 28th Ave Pre-App Meeting Notes

Thanks for the follow-up email.

To be clear, staff will likely NOT support the lot dimensional variance due to the data on the surrounding lots, since only 25% of the lots are substandard.
However, we do agree that there is some degree of compatibility here, based on the very mixed pattern of development and the two recently constructed homes on similar sized lots, and 79% of the surrounding homes were built on one platted lot.

We recommend meeting with the surrounding property owners and the association to determine if you will have support before proceeding.

Thanks,
--Liz

From: James Landers [mailto:james@aspenvg.com]
Sent: Monday, May 01, 2017 10:19 AM
To: Elizabeth Abernethy; 'Dillon Alderman'
Subject: 1313 28th Ave Pre-App Meeting Notes

Dillon,

I met with Liz on Friday. Attached are the notes. Please review the notes and determine the best course to proceed. You may want to call and discuss your understanding of us falling under the existing code.

James

Elizabeth Abernethy

From: Greater Woodlawn Neighborhood Association President <gwnapresident@gmail.com>
Sent: Wednesday, May 10, 2017 11:06 AM
To: Elizabeth Abernethy
Subject: Re: Aspen Homes Greater Woodlawn Neighborhood

Landers sent me an email 15 minutes after he was due to speak and said he could not make it due to a family emergency. I let him know our next meeting is 9/12 at 7pm and if he wanted to speak at it, to let me know the day before. I did let the people at the meeting who lived near 1313 28 Av N to be on the lookout for the variance hearing notice.

Thanks!

On Wed, May 10, 2017 at 10:38 AM, Elizabeth Abernethy <Elizabeth.Abernethy@stpete.org> wrote:
Sorry I could not make it
How did it go?
Should I call you to discuss?

Thanks!

Sent from my iPhone

On May 8, 2017, at 4:36 PM, Greater Woodlawn Neighborhood Association President <gwnapresident@gmail.com> wrote:

> Thanks! We have you set for 7:30pm.
>
> Again, our meeting is in the Open Bible Church Annex building behind 1200 30th Ave North.
>
> On Mon, May 8, 2017 at 4:26 PM, James Landers <james@aspenvg.com> wrote:
>
> Sure. I will swing by. Let me know what time is set on the agenda.
>
> James
>
> **From:** Greater Woodlawn Neighborhood Association President [mailto:gwnapresident@gmail.com]
> **Sent:** Monday, May 8, 2017 3:25 PM
> **To:** James Landers <james@aspenvg.com>
> **Cc:** elizabeth.abernethy@stpete.org; Susan P. Ajoc <Susan.Ajoc@stpete.org>
> **Subject:** Re: Aspen Homes Greater Woodlawn Neighborhood

Hi Mr. Landers,

I am finalizing the agenda for tomorrow night's Greater Woodlawn NA meeting. If you would like to have a spot reserved to speak for 5 minutes, please let me know by 5pm today. Our next meeting after tomorrow will be July 11th.

Thanks,

Phil Peyton

On Tue, May 2, 2017 at 8:30 PM, James Landers <james@aspenvg.com> wrote:

Hello Phil,

Thanks for reaching out, I will look into the schedule to see if I am in town that night.

In the interim, the plan is to demolish the two homes and construct two new single family homes on the site at 1313 28th Ave N. We have not finalized the designs but we take great pride in designing and constructing some of the area's finest homes in the most desirable areas.

As you might be aware, we recently demolished a very blighted foreclosed property at 1227 28th,(a ½ a block from the proposed site) and constructed two SF homes which recently sold to two young couples. By all measures, we believe it has been a great addition to your neighborhood. This project would be similar in concept but with different architectural styles.

As an aside, I am very familiar with Woodlawn. In fact, my wife and I purchased our first home in Woodlawn in 1994 and lived in that areas for many years. It's a great neighborhood that gave us many fond memories.

James Landers

From: Greater Woodlawn Neighborhood Association President [mailto:gwnapresident@gmail.com]
Sent: Tuesday, May 2, 2017 4:43 PM
To: james@aspenvg.com; elizabeth.abernethy@stpete.org
Cc: Susan P. Ajoc <Susan.Ajoc@stpete.org>
Subject: Aspen Homes Greater Woodlawn Neighborhood

Hello Mr. Landers,

My name is Phil Peyton and I am the president of the Greater Woodlawn NA. Our next scheduled association meeting is next Tuesday, May 9th at 7pm.

We meet at the Open Bible Church annex, behind 1200 30th Ave N.

If you would like to come and spend 5-10 minutes discussing your plans for your 2 lots, please let me know by 5pm this Friday and I will schedule you there. Elizabeth Abernethy from the city may also attend if you plan to.

Thanks in advance.

Phil Peyton

Your Sunshine City

Elizabeth Abernethy

From: James Landers <james@aspenvg.com>
Sent: Monday, September 25, 2017 10:35 PM
To: Elizabeth Abernethy; aldermanplanning@gmail.com
Cc: lani.calbi159@gmail.com
Subject: RE: Case No. 17-54000050

Elizabeth,

A few points in response to the neighbor comments

1. The "breathing space" between homes is the exact same space that Mr Calbi and Mrs. Baldi share with her neighbors to their west. We are asking for the same setbacks they enjoy at their property. Nothing more.
2. The "breathing space" between the proposed homes is the same space between more of the homes on the block including all the homes west of 1420 28th Ave N.
3. One of the 2 CURRENT HOMES on the property currently sits LESS THAN THE NORMAL setback thus encroaching on 1301 28th Ave N . The new homes would actually **INCREASE the space between** the home and the eastern neighbor at 1301 28th Ave N. Consequently, the suggestion that the proposed home would "minimize" the breathing space is geometrically false.

As for the "well being of the community", having lived in Woodlawn for many years dating back to 1994, I have a good idea on what is good for the community. Mr. Calbi and Mrs. Baldi bought their home in 2014 and perhaps don't have the perspective that I have having lived and owned property in the area for over 23 years. Mr. Torris who has lived in his home next door at 1400 28th Ave N for 25 YEARS and lived through decades of little to no development. He and others support smart redevelopment and understand the value it can bring to a neighborhood by raising property values, reducing crime, etc.

In my humble view, what is good are **OWNER OCCUPIED homes that are well kept and contribute to the overall good of the neighborhood**. The property that is in question are **two blighted rental homes** on two lots that are in terrible shape and well beyond their useless life. I fail to see how these two rental units contribute to the well being of the community and would appreciate insight on how these two rental homes contribute to the well being of the community.

To the contrary, two new homes likely bring two OWNERS who will pay property taxes far in excess of the current rate collected on the property thus benefiting all residents of our city. These new owners will likely dine at local restaurants and employ local people to help maintain their homes, yards, etc. The positive impact this will have on the community real and undeniable. If you have any doubt of this effect, go down and talk to the new owners of the homes build further east(1227, 1231 28th Ave N)t on the same street. Young couples INVESTING in their homes, spending $ in our community, raising their young families., etc.

In conclusion, the city must decide between protecting blighted, wrecked rental homes that bring ZERO benefit to the community OR encouraging smart redevelopment of our great neighborhoods. I am open to meeting these neighbors and/or anyone else interested in discussing the project. I welcome all input and sincerely appreciate these neighbors taking time out of their day to provide their input. I am hopeful that a careful review of the relevant facts are helpful to the discussion.

Respectfully,

James

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

STAFF REPORT

DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST PUBLIC HEARING

For **Public Hearing** and **Executive Action** on **October 4, 2017,** beginning at 2:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

According to Planning & Economic Development Department records, **no Commission member** 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.

CASE NO.: 17-54000056 PLAT SHEET: G-20

REQUEST: Approval of a Variance to minimum lot width from 50-feet to 45-feet and to side yard setback from 5-feet to 3-feet to create two (2) buildable lots on two (2) lots of record under common ownership to allow development of one (1) additional single-family home with the existing home to remain.

OWNER: Emma S. Elias
1305 34th Avenue North
Saint Petersburg, Florida 33704-1844

AGENT: Stephenson Anderson
Burg Development
575 2nd Avenue South
Saint Petersburg, Florida 33701

ADDRESS: 1305 34th Avenue North

PARCEL ID NO.: 12-31-16-94428-003-0210

LEGAL DESCRIPTION: Lots 21 and 22, Block 3, Virginia Heights

ZONING: Neighborhood Traditional Single-Family-2 (NT-2)

Structure	Required	Requested	Variance	Magnitude
Lot Width (Lot 21)	**50 ft.**	**45 ft.**	**5 ft.**	**10%**
Lot Width (Lot 22)	**50 ft.**	**45 ft.**	**5 ft.**	**10%**

BACKGROUND: The subject property consists of two platted lots of record (Lots 21 and 22, Block 3, Virginia Heights) under common ownership, located in the Magnolia Heights Neighborhood at 1305 34th Avenue North, see Exhibit 1. According to City property card records the property was originally developed with one single-family residence and a detached garage on Lot 22. Available records do not indicate at what point in time Lot 21 was combined with Lot 22. The current property owner purchased the property in April of 1979 (per Pinellas County Property Appraiser records).

The property has a zoning designation of Neighborhood Traditional Single-Family (NT-2). The minimum lot width in NT-2 zoning is 50-feet and the minimum lot area is 5,800 square feet. The subject lots are 45-feet in width and 5,697 square feet in area. Therefore, they are considered to be substandard in lot width and minimally deficient in lot area. The subject subdivision was recorded in 1925. Exhibit 2 includes a copy of the subdivision plat.

Restrictions were in place from 1973 through 2003 which limited development of non-conforming lots if the lots were in common ownership. The code was changed in 2003 to allow development on any platted lot record. On September 17, 2015, City Council amended the non-conforming lot regulations, thereby eliminating the right to build on these substandard lots without first obtaining a Variance.

During the review of the regulations by City Council starting in March of 2015, Council made the decision to change the code back to restrict such development on substandard lots, while also making clear its intent that a Variance review to determine if such development would be consistent with the surrounding neighborhood pattern would be required. Council found that in some neighborhoods, development of substandard lots would not be consistent with the surrounding development pattern and allowing one home on one platted lot in an area that has historically developed on more than one platted lot could be detrimental to the neighbors and the overall character of the neighborhood. The subject blocks and the majority of the Magnolia Heights Neighborhood are not an example of this situation, see Exhibit 2, Subdivision Plat and Neighborhood Lot Exhibit. Staff has determined that this request is consistent with the neighborhood development pattern and the Variance criteria.

On April 6, 2016, the DRC denied an appeal to an approval of a similar Variance on the three lots abutting the subject parcel to the east, thereby upholding the Streamlined Approval of the Variance request, Case #16-54000011. The applicant for the current case is the same applicant as the previous case. The three new homes have been constructed, and photographs are included in Exhibit 1.

On July 20, 2017 City Council amended the regulations for nonconformities that are equal to or less than 5% of the required lot width and/or area to allow minimally deficient nonconformities to be administratively approved by the POD. The lot area of the properties do not meet the minimum requirements for NT-2 zoning; however, they have a magnitude of deficiency of 1.8% and therefore this nonconformity can be approved administratively. Previously this minor nonconformity would have required approval by the Commission. The proposed Variance for minimum lot width has a magnitude of deficiency of 10% and therefore requires approval by the Development Review Commission.

CONSISTENCY REVIEW COMMENTS: The Planning & Economic Development Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested Variance is **consistent** with these standards. Per City Code

Section 16.70.040.1.6 Variances, Generally, the DRC's decision shall be guided by the following factors:

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

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

      The application involves an existing single-family home that will remain on Lot 22 that does not meet the setback requirements for NT-2, as the east side yard setback is only 3.9 feet from Lot 21, where a 5 foot setback is required.

      The application also involves the development of a new single-family home on a platted lot of record, Lot 21, which is proposing a 7 foot side yard setback on the west side of the property adjacent to Lot 22 in order to provide a 10.9 foot separation between the two single-family homes thereby maintaining the intent of the setback requirement of the code. The new single-family home will meet all setback and development standards of the zoning district and the recently adopted amendments to the NT-2 district.

   b. *Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.*

      The subject lots are below the zoning district minimums as NT-2 zoning requires a minimum lot width of 50 feet and a minimum lot area of 5,800 square feet. The subject lots were platted as 45 feet in width and 126.6 feet deep. Therefore, the subject lots are substandard. In terms of lot width they are nonconforming by a magnitude of 10% and in terms of lot area they are nonconforming by a magnitude of 1.8%.

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

      This criterion is not applicable.

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

      This criterion is not applicable.

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

      There are no significant vegetative or natural features on the lots. Photographs of the subject property are provided in Exhibit 1.

   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.*

Staff analyzed the development pattern of the subject block, and the adjacent blocks to the north, east and west of the subject block, see Exhibit 2, Neighborhood Lot Exhibit. The subject lots are located in the Virginia Heights subdivision which consists of four blocks. The platted lot widths range from 45 to 50 feet and the lot depths range from 119 feet to 135 feet. Each block is slightly different. The other two blocks are in Belvidere Subdivision which has a similar development pattern.

The Magnolia Heights Neighborhood, which is generally bounded by 30th Avenue North on the south, 38th Avenue North on the north, Dr. Martin Luther King Jr Street North on the east and 16th Street North on the west, has a similarly diverse pattern of platted lot widths and lot areas. The subdivisions to the south have lot widths that generally range from 46 to 50 feet. Staff analyzed the blocks within the same subdivision and two blocks to the east in order to determine consistency and found that the proposal is consistent with the prevailing development pattern, see Exhibit 2, Subdivision Plat and Neighborhood Lot Exhibit.

The percentage of substandard lots within the six block area is 71.4%, see table below. Staff also considers the percentage of homes that are built on one platted lot in assessing the development pattern. The percentage of properties that have one house on one platted lot on these same blocks is 85%. Based on the provided analysis, staff finds the proposal is consistent with the prevailing pattern of development.

Block (Location)	Conforming	Substandard	% Substandard	One house per Platted Lot	% One house per Platted Lot
Block 1 (Subject*)	13	13	50.00%	23	88.46%
Block 2 (North)	11	14	56.00%	22	88.00%
Block 3 (West)	1	18	94.74%	18	94.74%
Block 4 (Northwest)	5	12	70.59%	12	70.59%
Block 5 (Northeast)	5	18	78.26%	20	86.96%
Block 6 (East)	7	26	78.79%	27	81.82%
Average			**71.40%**		**85.09%**

***Subject lots included as conforming**

In order to address compatibility concerns, a special condition of approval is recommended.

Special condition #1 is the requirement of a minimum seven (7) foot side yard setback on the west side of Lot 21. The increased side yard setback has been proposed by the applicant in order to offset the nonconforming 3.9 foot side yard setback on the east side of Lot 22 for the existing home. The required interior side yard setback for NT-2 is five (5) feet. By providing the increased side yard setback on Lot 21 the properties will maintain the standard 10 foot separation between homes that is required by code.

In summary, the development of the vacant platted lot improves the neighborhood character by providing infill housing that is harmonious with the development pattern of the Magnolia Heights Neighborhood and meets the current NT-2 code requirements, with the exception of lot width. The approval of the proposed Variance will ensure that

the homes located on the two lots meet the intent of the code as it relates to the side yard setbacks between the structures.

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

This criterion is not applicable.

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

The lots were platted at 45 feet in width and 126.6 feet in depth in 1925. The majority of the lots in the neighborhood were platted in the 1920's, establishing the current development pattern, which is predominately one house on one platted lot, as demonstrated under the response to criteria 1.f. above. This development pattern is not the result of any action of the applicant.

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

The applicant has the ability to continue the use of the property for one single-family home with an accessory dwelling unit. However, having a larger lot would allow a larger home which would not be consistent with the surrounding neighborhood pattern.

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;*

A majority of the other properties in the surrounding blocks have been allowed to develop one house on each platted lot of record and therefore the requested Variance would allow a more consistent use of the land.

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

The Variances requested are the minimum necessary to allow the development of one single-family home on a lot of a similar size to the surrounding lots with single-family homes. The reduction from the 50 foot required lot width to 45 feet in width constitutes a 10% reduction and the reduced side yard setback from 5 feet to 3 feet on the east side of Lot 22 is offset by the condition requiring a 7 foot side yard setback on the west side of Lot 21.

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

The request is consistent with the goals of the Comprehensive Plan and the Land Development Regulations to promote revitalization and redevelopment. The Land Development Regulations for the Neighborhood Traditional districts state: "The purpose of the NT district regulations is to protect the traditional single-family character of these neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood." The Future Land use designation in this neighborhood is Planned Redevelopment – Residential (PR-R). The following objective and policies promote redevelopment and infill development in our City:

OBJECTIVE LU2:
The Future Land Use Element shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.

LU2.5 The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locations where excess capacity is available.

LU3.6 Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.

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

   The granting of the Variances will not be injurious to neighboring properties as they are developed in a similar pattern as the existing neighborhood with one house on each of the two platted lots. The proposed home on Lot 21 will meet the design standards of the NT-2 district, as recently amended, see Exhibit 3, Site Plan, Floor Plan and Elevations. Conditions of approval provided under 1.f. above will further ensure that the new home is consistent with the predominant pattern of development, which is one single-family home on one platted lot of record.

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

   Staff finds that the reasons set forth in the Variance application do justify the granting of the Variances based on the analysis provided and the recommended special conditions of approval.

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.*

   Non-conforming uses and non-conforming buildings and structures have not been considered in staff's analysis.

FINDING OF CONSISTENCY: Given the above considerations, pursuant to Section 16.70.040.1.6, the request was found to be consistent with the purpose and intent of the Code and the Comprehensive Plan.

PUBLIC COMMENTS: The subject property is within the boundaries of the Magnolia Heights Neighborhood Association. No comments were received from the neighborhood association or any neighbors.

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Economic Development Department Staff recommends **Approval** of the requested Variances.

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

1. The plans and elevations submitted for permitting should substantially resemble the plans and elevations submitted with this application.
2. The minimum principal structure interior side yard setback for the west side of Lot 21 shall be seven (7) feet.
3. The design of the new home shall be varied from other homes on the same block face on either side of the street or within an adjacent block face on either side of the street as per Code Section 16.20.010.11.
4. Approval of these Variances does not grant or imply other Variances from the City Code or other applicable regulations.
5. A separate Parcel ID must be obtained for Lot 21 prior to submittal of the building permit application.
6. These Variance approvals shall be valid through October 4, 2020. Substantial construction shall commence on Lot 21, or the properties shall be separately conveyed, by this expiration date, unless an extension has been approved by the POD. A request for an extension must be filed in writing prior to the expiration date.

Report Prepared By:

Scot Bolyard, AICP, Planner I — 9/26/17 Date
Development Review Services Division
Planning & Economic Development Department

Report Approved By:

Elizabeth Abernethy, AICP, Zoning Official (POD) — 9-26-17 Date
Development Review Services Division
Planning & Economic Development Department

List of Exhibits:
Exhibit 1: Aerial map, survey, photographs, and property record card
Exhibit 2: Subdivision Plat and Neighborhood Lot Exhibit
Exhibit 3: Site Plan, Floor Plan and Elevations
Exhibit 4: Applicant's Variance Narrative

Exhibit 1

Case #17-54000056

Project Aerial, Photographs,

Survey, Property Record Card

st.petersburg
www.stpete.org

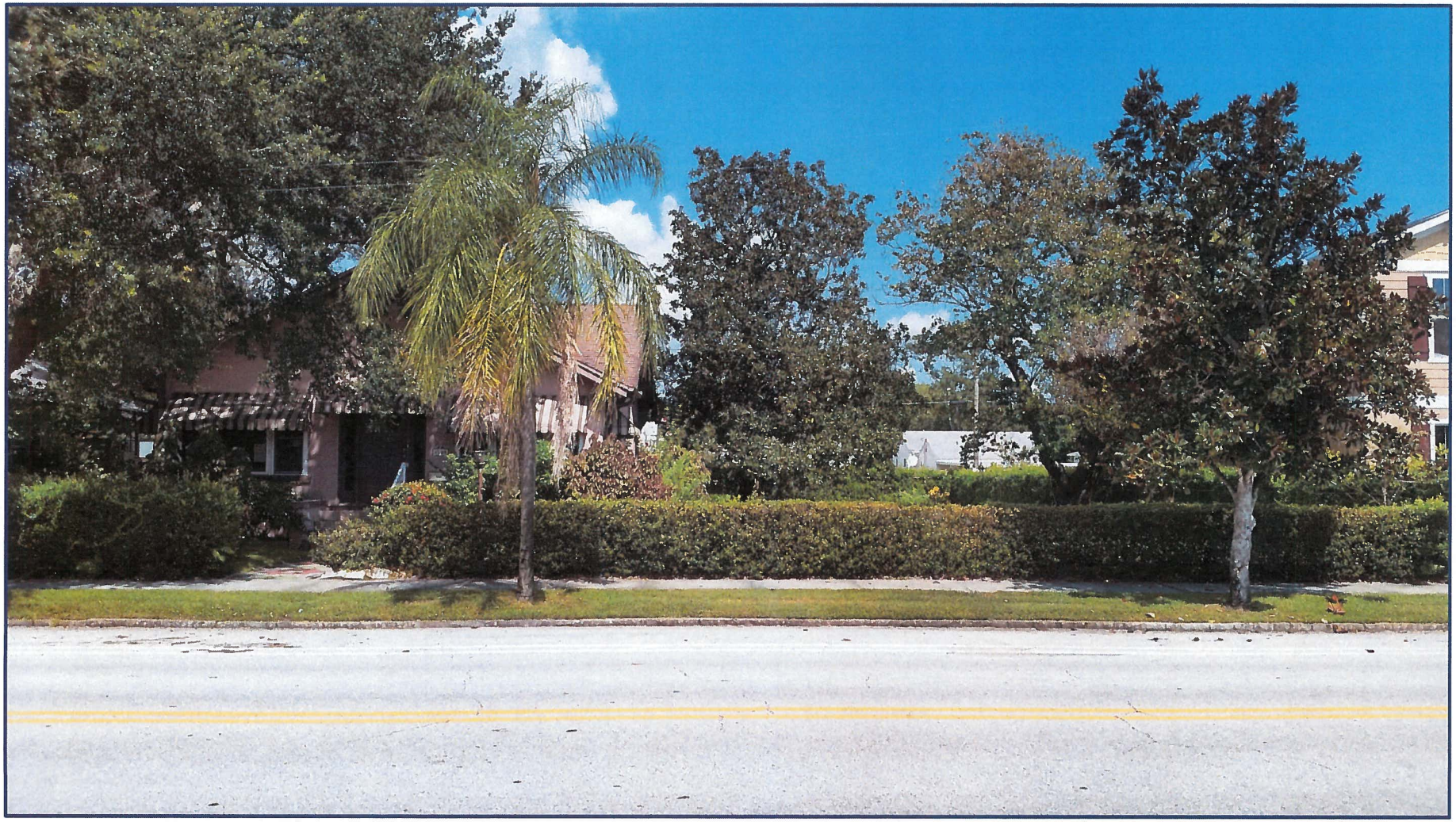
City of St. Petersburg, Florida
Planning & Economic Development Department
Case No.: 17-54000056
Address: 1305 34th Avenue North

N

(nts)

1305 34th Avenue North

Lots 21 and 22, Block 3, Virginia Heights



1319 & 1315 34th Avenue North

1245, 1237 & 1229 34th Avenue North

BOUNDARY, TOPOGRAPHIC & TREE SURVEY
LOTS 21 AND 22, BLOCK 3
"VIRGINIA HEIGHTS"
PINELLAS COUNTY, FLORIDA.

SEC. 12, TWP. 31 S, RNG. 16 E.

BEARING BASIS: REFERENCED TO THE NORTH RIGHT-OF-WAY OF 34TH AVE. N. AS BEING N 90°00'00" W. (ASSUMED)

N

SCALE: 1" = 20'

THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH. ALSO SUBJECT TO SETBACKS, EASEMENTS AND RESTRICTIONS OF RECORD.

UNDERGROUND FOOTER, STEM WALL, AND UNDERGROUND UTILITIES ARE NOT LOCATED OR SHOWN.

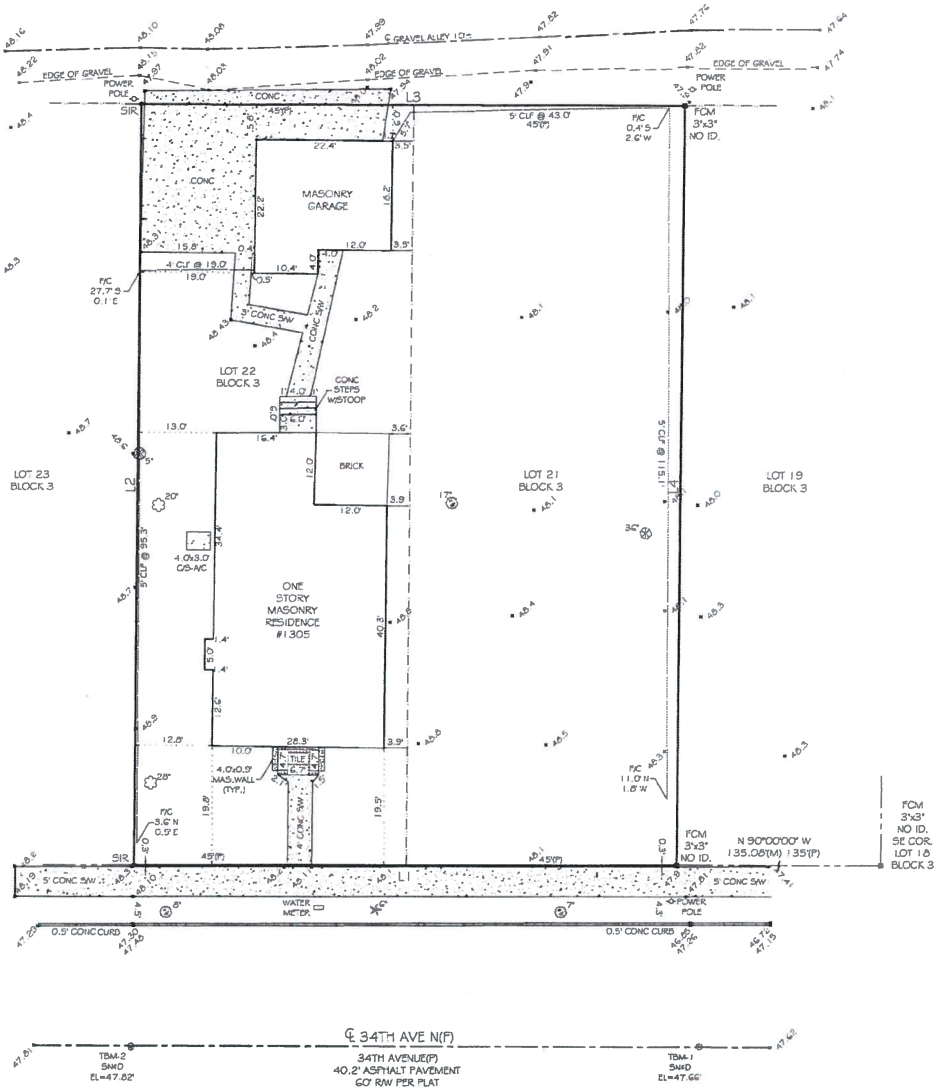
DO NOT SCALE THIS PRINT. DIMENSIONS AND NOTES TAKE PREFERENCE.

ELEVATIONS SHOWN HEREON ARE 1988 DATUM.

TREES SHOWN ARE IN INCHES OF A FOOT.

DIAMETER OF TRUNKS MEASURED @ BREAST HEIGHT.

TREE LEGEND
- = CHERRY LAUREL TREE (SIZE AS INDICATED)
- = MAGNOLIA TREE (SIZE AS INDICATED)
- = OAK TREE (SIZE AS INDICATED)
- = PALM TREE (SIZE AS INDICATED)
- = PODOCARPUS TREE (SIZE AS INDICATED)



DEED, MEASURED & PLAT			
LINE	BEARING	DISTANCE	
L1	N 90°00'00" W	90.00'(D)	90.00'(M)
L2	N 00°25'26" E	126.60'(P)	126.60'(M)
L3	S 89°54'49" E	90.00'(D)	90.00'(M)
L4	S 00°25'28" W	126.60'(P)	126.46'(M)

ELEVATIONS REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988. MEAN SEA LEVEL= 00.00 FT.

NATIONAL GEODETIC SURVEY
BENCHMARK INFORMATION:
DESIGNATION-Y 45 USCG
PID-AG7115
STATE/COUNTY-FL/PINELLAS
USGS QUAD-ST PETERSBURG (1987)
ELEV = 55.63'
NORTH AMERICAN VERTICAL DATUM OF 1988

DESCRIPTION:
LOTS 21 AND 22, BLOCK 3 MAP OR PLAT ENTITLED "VIRGINIA HEIGHTS", AS RECORDED IN PLAT BOOK 12, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

APPARENT FLOOD HAZARD ZONE: "X" COMMUNITY PANEL NO. 12103C0217G EFFECTIVE DATE: 9/3/03

Square Feet: 11387.6±

LEGEND:
(C)= CALCULATED DATA, (D)= DEED DATA, (M)= MEASURED DATA, (P)= PLAT DATA, ℄= CENTERLINE, A/C= AIR CONDITIONER, ALUM= ALUMINUM, APU= APPARENT PHYSICAL USE, B/C= BACK OF CURB, BFE= BASE FLOOD ELEVATION, C/S= CONCRETE SLAB, CLF= CHAIN LINK FENCE, CONC= CONCRETE, COR.= CORNER, COV.= COVERED, E/P= EDGE OF PAVEMENT, ESM'T= EASEMENT, F/C= FENCE CORNER, FCM= FOUND CONCRETE MONUMENT, FIP= FOUND IRON PIPE, FIR= FOUND IRON ROD, FN&D= FOUND NAIL & DISK, FPP= FOUND PINCHED PIPE, M/F= METAL FENCE, MAS.= MASONRY, OR= OFFICIAL RECORD BOOK, OHE= OVERHEAD ELECTRIC, PB= PLAT BOOK, PCP= PERMANENT CONTROL POINT, PRM= PERMANENT REFERENCE MONUMENT, R/W= RIGHT OF WAY, R= RADIUS, SIR= SET 1/2" IRON ROD & CAP No. 4493, SN&D= SET NAIL & DISK, TBM= TEMPORARY BENCHMARK, U/P= UTILITY POLE, WIT. = WITNESS, W/F= WOOD FENCE, V/F= VINYL FENCE

Prepared for and certified to:

JOHN R. BEACH & ASSOCIATES, INC.
SURVEYORS AND MAPPERS
911 WEST ST. PETERSBURG DRIVE
OLDSMAR, FLORIDA 34677
(813) 854-1276 FAX (813) 855-8370

ONE WAY

Drawn By: MAH
Checked By: JRB
Scale: 1"=20'
Date: 6/28/2017
Project Number: 35184

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

JOHN R. BEACH
FLORIDA REG. LAND SURVEYOR No. 2984
DATE
LB#4493

Revisions:

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

\\JRB-SERVER\Data\Mortgage Surveys\35184\35184.dwg, 7/11/2017 8:51:41 AM

SUBDIVISION Virginia Heights LOT 22 BLOCK 3

PERMIT NO. 12765 DATE 1-25-26
LOCATION 1305 -34th Ave. No.
OWNER L.A.Burns
CONTRACTOR
ARCHITECT
KIND BLDG. 1-st.fr.house & garage ROOMS 5
SIZE
CU. FT. RATE PER CU. FT.
COST $3,000
OCCUPANCY
FOUNDATION ROOF
FLOORS PARTITIONS

#35661-4/22/36-Mrs P S Burn Krauss-$275-reroof residence.
#47620-3/12/41-Mrs. Lillian A. Burns-General Rep. $300
#52062 3-14-44 $200.00 J.Marsh (Meyer) Convert one car gar.into 2-car garage
#34185A-D - 10/3/57 - $200 Owner Richard Doering - Install shower and closet in garage. Greene Plumbing Co., Contractor

(OVER OVER)

SIGN PERMIT NO. DATE

ELECTRICAL PER. No. 7065 DATE 1/3/28
OWNER Lillian Burns
CONTRACTOR Hughes
OPENINGS— 7 cr; 7 cw; 3 br; 3 pl
OK 1/3/28-C 9986A-EP 19986.
#E192A - 6/27/68 - Doering Harring - 125amp 1-meter 1p 1-bath heater 1½-KW-Ceiling Heat Baseboard heat (3) 1½-KW 4-KW Wall Htr.
FIXTURE PER. No. #E3351H- DATE 4-23-81
OWNER Elias
CONTRACTOR Kelso Ele
Add-recep-1-dispo-1-dw-5-circuits
ISSUED TO—

GAS PERMIT NO. #4333 B- DATE 10/3/57
OWNER Richard Doering
CONTRACTOR Greene Plbg.
FIXTURES— replace w-htr.

CERTIFICATE No. DATE
ISSUED TO—

PLUMBING PER. No. 7616E DATE 10/3/57
OWNER Richard Doering 12-31-16
CONTRACTOR Greene Plbg. 6-20
FIXTURES— 1-closet 1-shower

O. K. DATE

SEWER PER. No. 6995D DATE 11/15/56
OWNER Richard Doering
CONTRACTOR Greene Plbg.
O. K. DATE $5.00 tap

SEPTIC TANK PER. No. DATE
OWNER
CONTRACTOR
O. K. DATE

BUILDING

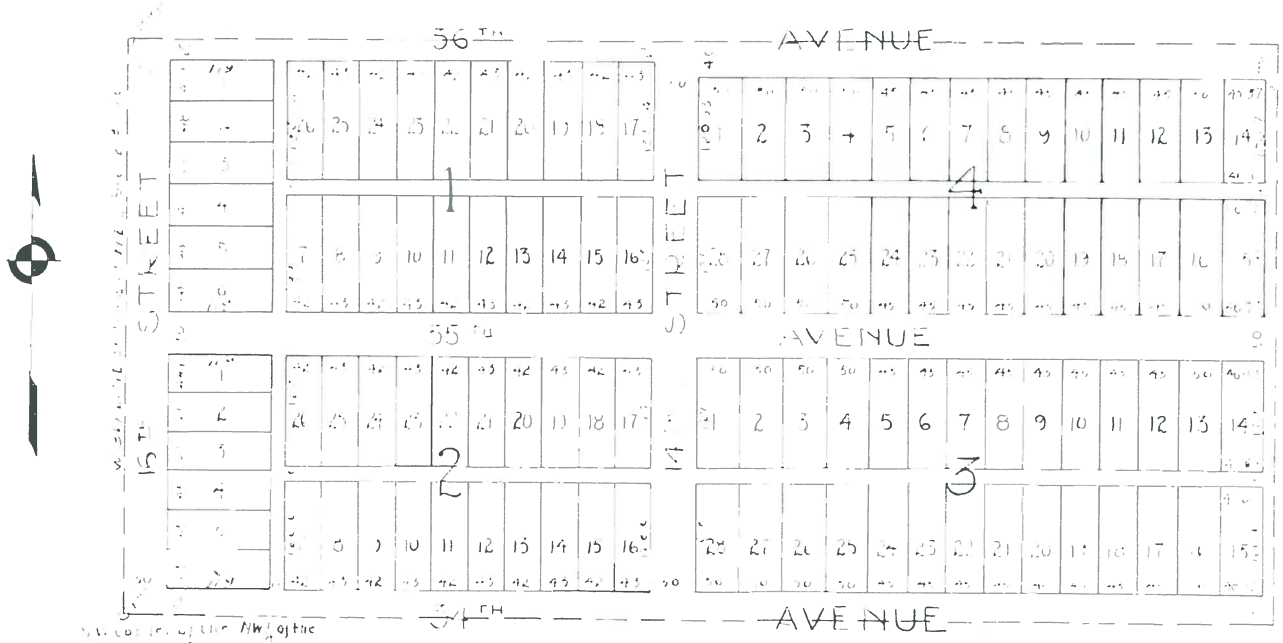
#76243-RS75- 2/25/81- $10,500
Owner Mr & Mrs Elias- Remove existing addition and rebuild to same dimensions with conc block foundation wood floor and frame; 12' x 16' O.A. (198 sq ft) (Type VI) Slater Const, Contractor

Exhibit 2

Case #17-54000056

Subdivision Plat and

Neighborhood Lot Exhibit



A REFILING OF

VIRGINIA HEIGHTS

BEING A SUB-DIVISION OF THE S½ OF THE N.W.¼ OF THE N.E¼ OF SEC. 12-TWP. 31 S.- R. 16 E. PINELLAS COUNTY, FLORIDA.

NOTE: THIS REFILING OF VIRGINIA HEIGHTS IS MADE FOR THE CORRECTION OF BLOCK NUMBERS ONLY

APPROVED BY THE PLANNING BOARD FOR THE CITY OF ST PETERSBURG THIS [illegible] DAY OF OCT. 1925
BY W.L. Straub
Vice-Chairman

THEREBY CERTIFY THAT THIS PROPERTY HAS BEEN SURVEYED AND STAKED, THAT MONUMENTS HAVE BEEN SET AS INDICATED AND THAT THE DIMENSIONS LENGTHS AND ANGLES ARE CORRECT

E. J. Gale [illegible]

THE UNDERSIGNED HEREBY CERTIFY THAT FROM THE GENERAL PLAN SIMPLE OF THE LANDS ABOVE DESCRIBED HEREBY PLATTED AS VIRGINIA HEIGHTS THAT I HEREBY DEDICATE TO PUBLIC USE ALL STREETS AND PUBLIC PLACES SHOWN ON THIS PLAT OF THE SUBDIVISION OF THE SAME IT BEING STIPULATED THAT A RIGHT OF WAY THREE (3) FT WIDE BE RESERVED FROM THE REAR OF ALL LOTS FOR THE LOCATION OF PUBLIC UTILITIES INCLUDING POLES AND CONDUITS FOR WIRES AND PIPES AND THAT THE SUBDIVISION IS PERMANENTLY MARKED UPON THE GROUND BY CONCRETE MONUMENTS IN THE LOCATIONS SHOWN ON SAID PLAT AND THAT THE DIMENSIONS ANGLES AND LENGTHS AND THE CONNECTIONS WITH AND WITNESS MARKS OF MONUMENTS AS SHOWN ARE CORRECT AND ENTIRELY WITHIN THE BOUNDARIES OF SAID TRACT AS ABOVE DESCRIBED

SIGNED SEALED AND DELIVERED IN THE PRESENCE OF
WITNESS E. L. Yeaton
WITNESS M. Sloan

Margaret R. Anderson
A. R. Anderson
OWNER
CENTRAL NAT BANK AND TRUST CO
By W. K. Watson VICE PRES

STATE OF FLORIDA COUNTY OF PINELLAS

THEREBY CERTIFY THAT ON THIS [illegible] DAY OF [illegible] BEFORE ME PERSONALLY ACKNOWLEDGED MARGARET R. ANDERSON AND A. R. ANDERSON W. L. [illegible] WATSON VICE PRES CENTRAL NAT BANK AND TRUST CO. TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR FREE ACT AND DEED FOR THE PURPOSE THEREIN EXPRESSED

AND FURTHER MORE CERTIFY THAT THE SAID MARGARET R. ANDERSON KNOWN TO BE THE WIFE OF [illegible] ANDERSON [illegible] PRIVATE EXAMINATION [illegible] AND MADE BY AND BEFORE ME SEPARATELY AND APART FROM HER SAID HUSBAND [illegible] SHE MADE HERSELF A PARTY TO SAID INSTRUMENT FOR THE PURPOSE OF RELOUNCING RELINQUISHING AND CONVEYING HIS HER RIGHT TITLE AND INTERESTS WHETHER OF DRAWER HOMESTEAD OR OF SEPARATE PROPERTY STATUTARY OR EQUITABLE IN AND TO THE LANDS ABOVE DESCRIBED AND THAT SHE EXECUTED THE SAID INSTRUMENT FREELY INDEPENDENTLY AND WITHOUT ANY COMPULSION CONSTRAINT APPREHENSION OR FEAR OF OR FROM HER SAID HUSBAND

WITNESS MY HAND AND OFFICIAL SEAL THIS [illegible] DAY OF [illegible] 1925

E. L. Yeaton
[illegible]

Nov. 14 1926

SCALE 1" = 100'

Neighborhood Lot Exhibit

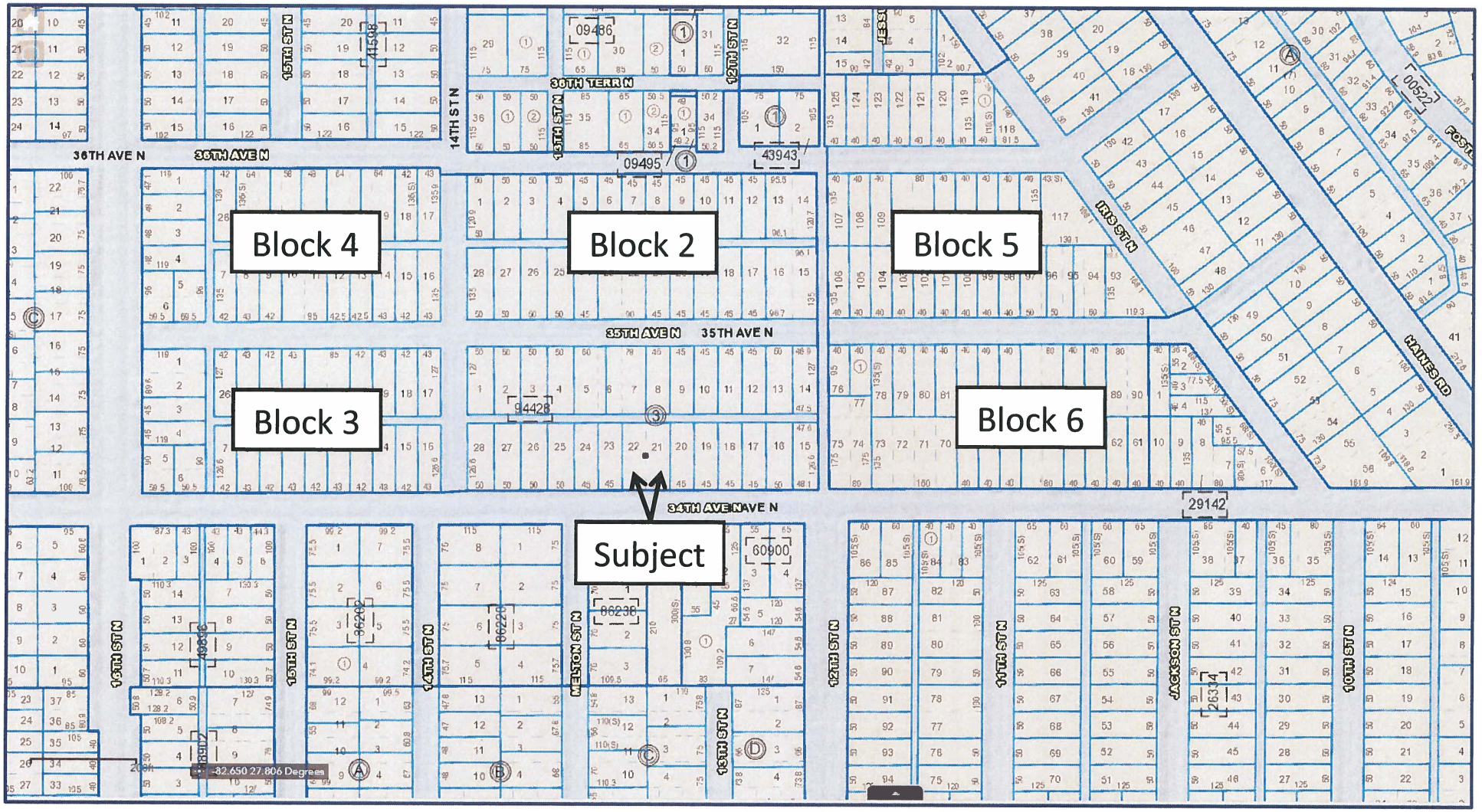


Exhibit 3

Case #17-54000056

Site Plan, Floor Plan and Elevations

SKETCH
LOTS 21 AND 22, BLOCK 3
"VIRGINIA HEIGHTS"
PINELLAS COUNTY, FLORIDA.

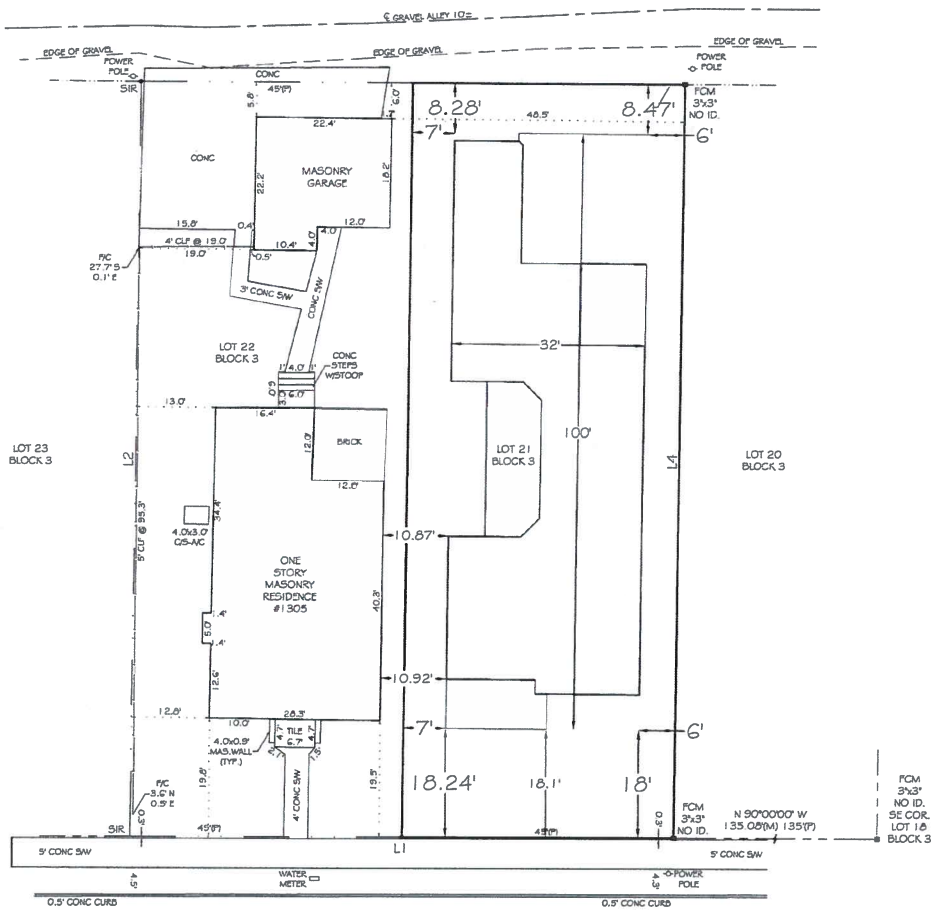
SEC. 12, TWP. 31 S, RNG. 16 E.

BEARING BASIS: REFERENCED TO THE NORTH RIGHT-OF-WAY OF 34TH AVE. N. AS BEING N 90°00'00" W. (ASSUMED)

N

SCALE: 1" = 20'

NOT A SURVEY



DEED, MEASURED & PLAT			
LINE	BEARING	DISTANCE	
L1	N 90°00'00" W	90.00'(D)	90.00'(M)
L2	N 00°25'26" E	126.60'(P)	126.60'(M)
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L4	S 00°25'28" W	126.60'(P)	126.46'(M)

DESCRIPTION:
LOTS 21 AND 22, BLOCK 3 MAP OR PLAT ENTITLED "VIRGINIA HEIGHTS", AS RECORDED IN PLAT BOOK 12, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

APPARENT FLOOD HAZARD ZONE: "X" COMMUNITY PANEL NO. 12103C0217G EFFECTIVE DATE: 9/3/03

Square Feet: 11387.6±

LEGEND:
(C)= CALCULATED DATA, (D)= DEED DATA, (M)= MEASURED DATA, (P)= PLAT DATA, ℄= CENTERLINE, A/C= AIR CONDITIONER, ALUM= ALUMINUM, APU= APPARENT PHYSICAL USE, B/C= BACK OF CURB, BFE= BASE FLOOD ELEVATION, C/S= CONCRETE SLAB, CLF= CHAIN LINK FENCE, CONC= CONCRETE, COR.= CORNER, COV.= COVERED, E/P= EDGE OF PAVEMENT, ESM'T= EASEMENT, F/C= FENCE CORNER, FCM= FOUND CONCRETE MONUMENT, FIP= FOUND IRON PIPE, FIR= FOUND IRON ROD, FN&D= FOUND NAIL & DISK, FPP= FOUND PINCHED PIPE, M/F= METAL FENCE, MAS.= MASONRY, OR= OFFICIAL RECORD BOOK, OHE= OVERHEAD ELECTRIC, PB= PLAT BOOK, PCP= PERMANENT CONTROL POINT, PRM= PERMANENT REFERENCE MONUMENT, R/W= RIGHT OF WAY, R= RADIUS, SIR= SET 1/2" IRON ROD & CAP No. 4493, SN&D= SET NAIL & DISK, TBM= TEMPORARY BENCHMARK, U/P= UTILITY POLE, WIT. = WITNESS, W/F= WOOD FENCE, V/F= VINYL FENCE

Prepared for and certified to:

ONE WAY

JOHN R. BEACH & ASSOCIATES, INC.
SURVEYORS AND MAPPERS
911 WEST ST. PETERSBURG DRIVE
OLDSMAR, FLORIDA 34677
(813) 854-1276 FAX (813) 855-8370

Drawn By: MAH
Checked By: JRB
Scale: 1"=20'

Revisions:

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

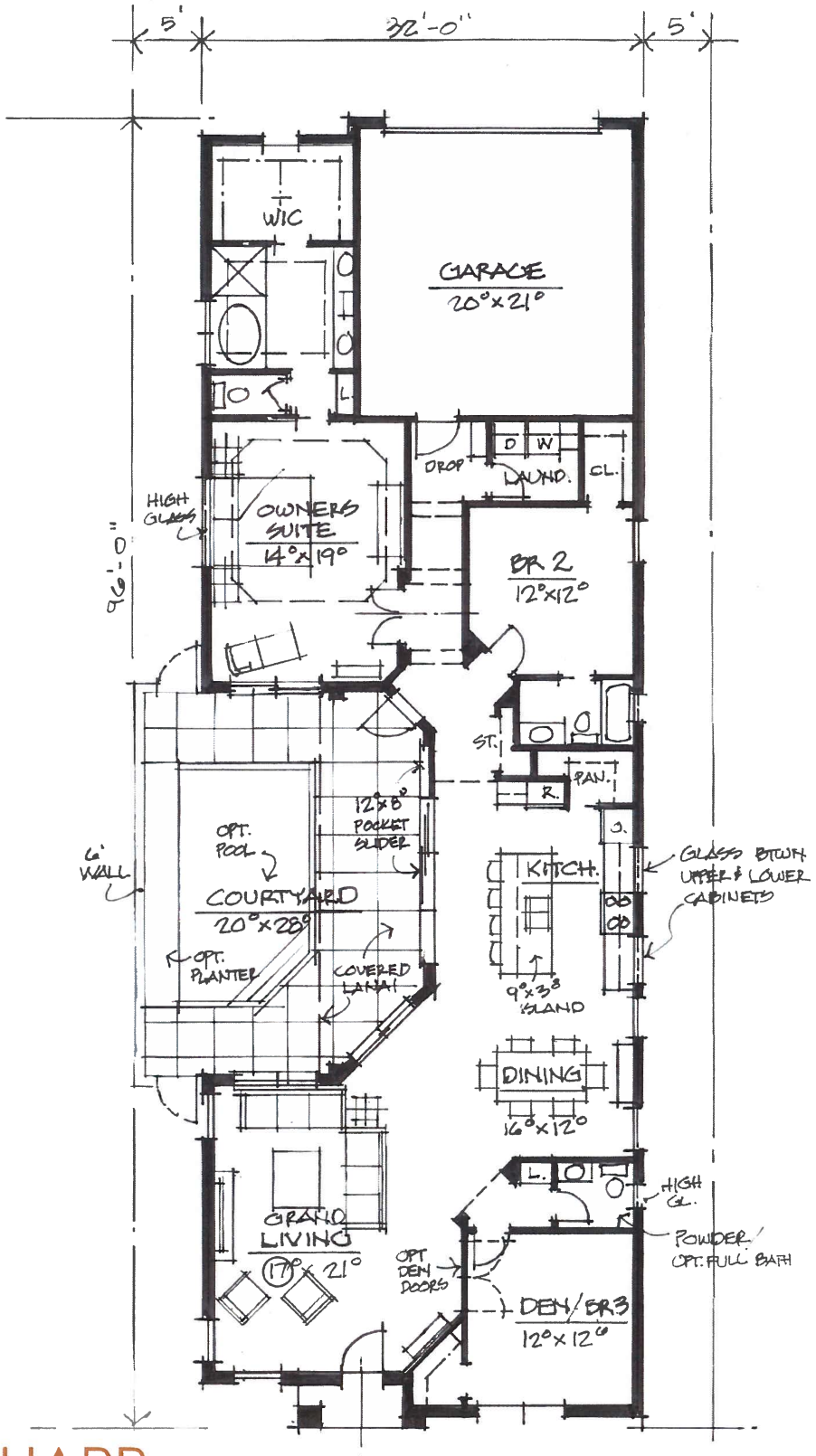
Date: 8/11/2017 CWC
Project Number: 35184 SKETCH

JOHN R. BEACH
FLORIDA REG. LAND SURVEYOR No. 2984
DATE 8/11/2017
LB#4493

N:\Mortgage Surveys\35325\35325-35184sketch.dwg, 8/11/2017 10:27:20 AM, \\JRB-SERVER\TOSHIBA4555

BURG DEVELOPMENT

PRELIMINARY PLAN 2100
COURTYARD
MAIN FLOORPLAN



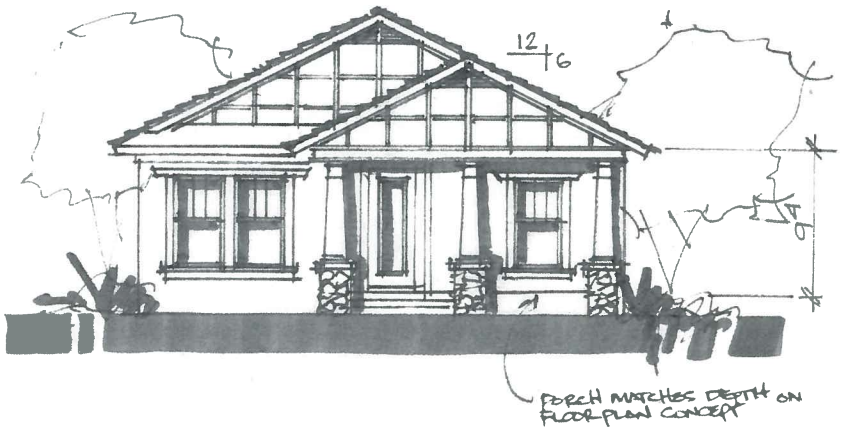
SHARP DESIGN STUDIO

Design Date: 8/4/17

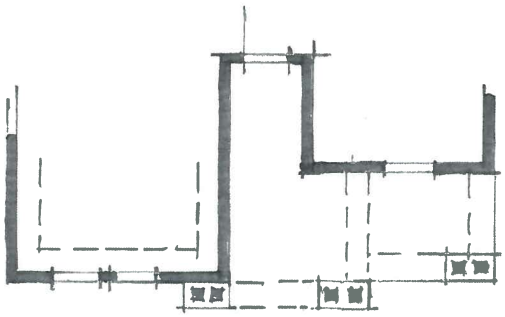
© 2017 Sharp Design Studio

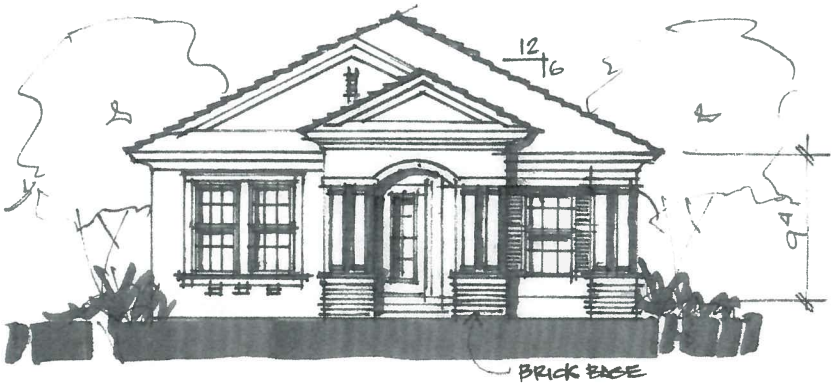
BURG DEVELOPMENT

PRELIMINARY ELEVATION



CRAFTSMAN ELEVATION





CLASSICAL ELEVATION

SHARP
DESIGN STUDIO

© 2017 Sharp Design Studio

Exhibit 4

Case #17-54000056

Applicant's Variance Narrative

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VARIANCE

NARRATIVE (PAGE 1)

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 by 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
Street Address: 1305 34th Ave N — **Case No.:**
Detailed Description of Project and Request:
We are requesting a variance in order to build two houses on two 45' wide parcels at 1305 34th Ave. N. We are also requesting a variance on the required side setbacks in order to increase the distance between the two homes.
1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?
We are under contract to buy two adjacent parcels that are currently functioning as a single home with a side yard. The parcels have a total lot width of 90 feet. We plan on renovating the existing home on the west parcel and building a new single-story home on the east parcel. Due to the recent change to Ordinance 194-H on 09/24/15, these two parcels would be below the now-required 50' lot width. We are requesting a variance to improve the two lots as individual 45' parcels. Furthermore, we are requesting a variance on the side setback. The existing home has an east side setback of only 3.9'. We would increase the west side setback on the new home to 7', while still keeping a 6' setback on the east side (only 5' is required for single-story). This would result in a total of 10.9' between the new and existing house. We believe this complies with the spirit of the setback ordinance by giving adequate space between the two houses.
2. Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced.
Our development company just completed three 2-story homes on the three 45' wide lots directly to the east. Lots on the subject block have widths of 45' (11) and 50' (10). Please see attached plot. Most lots on the blocks directly to the east and west are between 40' and 43'.
3. How is the requested variance not the result of actions of the applicant?
We feel that we are keeping in the spirit of the neighborhood by keeping and renovating the existing house and building a single-story, rather than a two-story home in this location. The new home will have a 4.6 FAR which falls within the guidelines for a new single-story home. In order to keep the existing structure on the west parcel, a setback variance is necessary as the current setback is already under the required minimum.

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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 by 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?
Under the current guidelines, a new home will not be able to be constructed on the east parcel without a variance, due to
FAR, lot width, and setback requirements. We believe that granting this variance will enhance this transitioning neighborhood
by providing new and updated homes that will exceed the required structural side setbacks on the east side by 1' and the west
side by .9'. Please note that the west setback of the west parcel is and will remain 13'. The result will be an attractive wide
viewing corridor between the homes.
5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?
The alternative would be to only build one house covering the two lots which is economically unfeasible and would not suit
the character of the neighborhood.
6. In what ways will granting the requested variance enhance the character of the neighborhood?
These homes will fulfill a growing need for larger homes that will attract young families to a neighborhood that generally
consists of smaller, older houses. We are not proposing a huge structure, but merely a new home less than 2,200 SF that will
help fulfill a void in the marketplace. The fact that they are one-story homes will bring the scale back down in relation to the
two-story adjacent homes and homes across the street.

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

STAFF REPORT

DEVELOPMENT REVIEW COMMISSION
REDEVELOPMENT REQUEST
PUBLIC HEARING

For **Public Hearing** and **Executive Action** on **October 4, 2017,** beginning at 2:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Economic Development Department records, Commissioners Samuel and Vickstrom reside or have 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.

CASE NO.:	17-51000003	PLAT SHEET:	E-12
REQUEST:	Approval of a Redevelopment Plan with Variances to minimum lot area and width requirements and to interior pool setbacks to allow a replacement of a duplex with two (2) single-family homes.		
OWNER:	John M. Saunders 245 18th Avenue Northeast Saint Petersburg, Florida 33704-3504		
AGENT:	Dillon Alderman Alderman Planning Company PO Box 55755 Saint Petersburg, Florida 33732		
ADDRESS:	245 18th Avenue Northeast		
PARCEL ID NO.:	18-31-17-83217-020-0100		
LEGAL DESCRIPTION:	On File		
ZONING:	Neighborhood Traditional-3 (NT-3)		
SITE AREA TOTAL:	8,800 square feet or 0.20 acres		
GROSS FLOOR AREA:			
Existing:	2,868 square feet	0.33 F.A.R.	
Proposed:	5,720 square feet	0.65 F.A.R. *	
Permitted:	4,400 square feet	0.50 F.A.R. **	

* FAR shall include all enclosed space, including garage and storage space, except that open porches (not screened) and the first 300 sq. ft. of garage space shall be excluded from the existing FAR for each unit.

** The applicant is requesting bonuses to the base floor area ratio standard. The previous code allowed for bonuses up to 0.85 FAR, the amended code now allows bonuses up to 0.65 FAR.

DENSITY:

Existing:	2 dwelling units	(9.9 units per acre)
Permitted:	1 dwelling unit	(15.0 units per acre)*
Proposed:	2 dwelling units	(9.9 units per acre) **

* One principal dwelling and one accessory dwelling

** Redevelopment of a portion of the grandfathered density is the subject of this application.

BUILDING COVERAGE:

Existing:	3,076 square feet	35% of Site MOL
Proposed:	3,558 square feet	40% of Site MOL
Proposed Code:	4,400 square feet	50% of Site MOL

IMPERVIOUS SURFACE:

Existing:	4,120 square feet	47% of Site MOL
Proposed:	5,134 square feet	58% of Site MOL
Permitted:	5,720 square feet	65% of Site MOL

OPEN GREEN SPACE:

Existing:	4,680 square feet	53% of Site MOL
Proposed:	4,254 square feet	48% of Site MOL

PAVING COVERAGE:

Existing:	1,044 square feet	12% of Site MOL
Proposed:	1,596 square feet	18% of Site MOL

PARKING:

Existing:	4 spaces, including 0 handicapped space
Proposed:	4 spaces, including 0 handicapped space
Required:	4 spaces, including 0 handicapped space

BUILDING HEIGHT:

Existing:	One story
Proposed:	28 feet 9 inches & 32 feet
Permitted:	36 feet

APPLICATION REVIEW:

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.70.040.1.15 of the Municipal Code for site plan review to determine compliance with the criteria for redevelopment.

DISCUSSION AND RECOMMENDATIONS: The subject property is located in the Historic Old Northeast neighborhood, see attached Exhibit 1, aerial location map. The lot is approximately 110 feet in depth by 80 feet in width and consists of the east 40-feet of Lot 10 and the west 40-feet of Lot 11. There is an existing 2,252 s.f. one-story duplex structure and the detached garage on the property. The current regulations for the NT-3 zoning district allow one primary dwelling. In this case, one dwelling unit is considered grandfathered on the subject lot, based on the Property Card, see attached Exhibit 2. Based the Property Card, a duplex structure was constructed in 1952, which confirms that property has two legal units in the front structure. The Code provides for redevelopment of grandfathered uses, subject to the Commission's approval of a redevelopment plan.

The Request: The applicant seeks approval of a site plan to redevelop the property with two single-family detached homes. Both homes will be 2,714 square feet of living area with 446 square foot garages. The proposed plan requires approval of a variance to the interior side yard for the pools and F.A.R. bonuses.

Current Proposal: The proposed plan contemplates two single-family detached homes, on 40-foot wide by 110-feet deep lots. The homes are two story. Each unit has a garage accessed from the alley to the rear. Pedestrian access is through the street front sides of the buildings. Site plans, floor plans and elevations are attached as Exhibit 3.

Redevelopment Criterion: Pursuant to Code Subsection 16.70.040.1.15. an application for redevelopment must be reviewed for compliance with the criterion. An analysis follows, based on the City Code criterion to be considered by the Commission.

1. **Building Type.** *Structures shall be required to match the predominate building type in the block face across the street or abutting residential uses.*

   Structures in the block face include both one-story and two story single-family residences, see photographs provided as Exhibit 4 and applicant's narrative, Exhibit 5. The proposed design for the two single-family homes is consistent with the building types in the surrounding neighborhood.

2. **Building Setbacks.** *Structures shall be required to match the predominate building setbacks in the block face across the street or abutting residential uses.*

   The proposed single-family homes will be at a setback consistent with the predominate building setbacks of the block face. The applicant provided an exhibit showing the setbacks of all of the structures on the subject block face, and the average front setback is shown as 22 feet 2 inches, see attached Exhibit 6. The proposed homes will have a 22 foot 8 inch setback to the home, with a 16 foot 8 inche setback to the front porches.

3. **Building Scale.** *Structures shall be required to match the predominate building type, setbacks and scale in the block face across the street or abutting residential uses.*

   One and two-story residential structures are present within the surrounding neighborhood. The proposed two-story structures shown on the redevelopment plans are consistent with the height and setbacks on the subject block.

4. **Site Development.** *Structures shall be required to match the predominate development pattern in the block face across the street or abutting residential uses. If alley access exists on the proposed site, garages and parking areas shall be designed for alley use.*

   The structures on this site will match the orientation of structures on the block face and on the adjoining block face. All vehicular access will be through the alley, which is consistent with the prevailing development pattern. In addition, there are eight out of fifteen, or 53% substandard single-family lots on the subject block face.

5. **Building Mass.** *Building Mass shall be regulated by building setbacks and floor area ratio (FAR). The maximum FAR shall be existing FAR of the property prior to redevelopment or 0.50 FAR, whichever is greater.*

   The proposed development has an F.A.R. of .65, while the existing structure on the property has an F.A.R. of .33. The City Code provides options for F.A.R. bonuses. This application meets the criteria to allow for bonuses to the F.A.R. and would allow a structure with an F.A.R. of 0.85. This is discussed in additional detail below in the section regarding F.A.R. bonuses.

6. **Building Height.** *Residential structures for a project less than a city block shall comply with the following building height and roof design requirements: i. The maximum height shall not exceed 24 feet to the eave line and 36 feet to the peak of the roof for primary structures, ii. The maximum height shall not exceed 20 feet to the eave line and 32 feet to the peak of the roof for secondary or accessory structures, iii. The maximum slope of any roof angle shall not exceed 12/12. iv. Dormers shall not exceed 50-percent of any roof surface.*

   The proposed structures are compliant with the applicable building height regulations for single-family homes in the NT-3 district and for redevelopment projects as noted above. Roof slopes are appropriate and no dormers are proposed.

7. **Development Across Multiple Lots.** *Structures shall be separated by zoning district setbacks, however, if not separated by zoning district setbacks, there shall be a break in the building and roof planes at each original lot line which shall be equal to or greater than the combined side yard setbacks that would be required for each lot.*

   Setbacks have been provided between the two homes at the original lot line.

8. **Single Corner Lots.** *Structures on single corner lots shall be oriented so that the front entrance of the structure faces the legal front yard.*

   This criterion is not applicable to this case.

9. **Traditional Grid Roadway Network.** *For projects equal to or greater than a city block, extensions of the traditional grid roadway network which 1) abut the perimeter of the project area and 2) would be logically extended through the project area shall be required. Compliance with applicable subdivision and public improvement regulations shall be required.*

   This criterion is not applicable to this case.

10. **Non-Traditional Grid Roadway Network.** *For projects equal to or greater than a city block, roadway and pedestrian networks shall meet the following requirements: i. There should be at least two (2) points of entry into the project, ii. Sidewalk connections shall be made to surrounding streets, homes and businesses, iii. Streets shall be stubbed to property lines to allow for roadway extensions into abutting properties which may be developed or are anticipated to be redeveloped in the future.*

    This criterion is not applicable to this case.

11. **Density and Intensity.** *For mobile home park redevelopment, the maximum number of dwelling units shall be equal to the number of legal mobile home spaces(lots) within the park prior to redevelopment, or 140-percent of the maximum density of the future land use designation assigned to the property, whichever is less.*

    This criterion is not applicable to this case.

FAR Bonuses: The criteria for Floor Area Ratio bonuses are set forth under Subsection 16.70.040.1.15.

Background: The criteria for F.A.R. bonuses were crafted in response to development trends during the pre-2007 development boom, where applicants routinely requested approval to demolish a building containing several one-bedroom apartments and redevelop the site with the same number of units within the form of a larger, building containing two- or three-bedroom condominium or townhouse units. Of the projects that were built prior to the code change in 2007, some have been deemed to be somewhat incompatible with the surrounding context of what are often single-family neighborhoods. The F.A.R. bonus criteria were an attempt to encourage better design in exchange for the desire for larger unit size.

As part of the Residential LDR update, staff analyzed redevelopment projects constructed since 2007, to determine if modifications to the code were warranted, to improve compatibility. Staff found that some of the redevelopment projects were more compatible than others, and recommended a decrease in the allowable bonuses. These changes to the code were effective on July 28, 2017, Ord.#287-H. The subject redevelopment application was submitted on July 25, 2017. Because the application was submitted prior to the effective date of the amended code, the previous code applies. However, the subject application complies with the amended code.

Proposed Plan: The proposed redevelopment plan is compliant to the following options to gain approval of F.A.R. bonus for the construction of a larger building.

(a) An F.A.R. bonus of 0.20 shall be granted when structures are located in a traditional neighborhood context and designed in a traditional building style as defined by the City's Land development Regulations.

The applicant is requesting a F.A.R. bonus of 0.20 for utilizing a traditional style of architecture. The applicant is proposing a Spanish Colonial style home on the east, with decorative wing walls, arched porch entry, barrel tile roof, casement windows, arched windows, corbels under the eaves and heavy textured stucco exterior. The home on the west is a Coastal Vernacular style, with a single slope (shed) front porch roof, shuttered windows, pediment style gables, lap siding and metal roof.

(b) An F.A.R. bonus of 0.05 shall be granted when structures are finished with decorative wall finishes typical of traditional development.

The applicant is requesting this bonus. The easterly home will have textured stucco exterior finish and the westerly home will have exterior lap siding. There is was no change to this bonus criteria in the amended ordinance.

(c) An F.A.R. bonus of 0.10 shall be granted when structures contain a front porch for each unit. The porch shall be minimum of 60 square feet and have a minimum functional depth of 6 feet.

The proposed project features a continuous open front porch that serves each unit, which qualifies for the 0.10 bonus.

This bonus was eliminated in the amended ordinance.

In consideration of the above, Staff has determined that the proposed project meets the criteria set forth to obtain an F.A.R. bonus of 0.20, 0.05 and 0.10 for a total of 0.35. With the F.A.R. bonuses, the allowable F.A.R. is 0.85. The proposed project has an F.A.R. of 0.65, which is consistent with the amended code.

Variance:
The applicant is requesting a side yard setback variance between the two proposed homes, to allow swimming pools at a zero setback. These pools will be screened from view of the street by masonry walls and landscaping. The location of the pools will not impact the adjacent property owners. Given the limited open area available for outdoor living space on the properties and minimization of impacts to surrounding properties, staff has determined that the request is consistent with the applicable variance criteria.

Neighborhood Comments: Staff received an email from the Historic Old Northeast Neighborhood Association, which does not support Redevelopment applications within their neighborhood. As of the date of this report, Staff received emails from seven individuals in support and five in opposition. Correspondence is attached as Exhibit 7.

STAFF RECOMMENDATION: Based on a review of the redevelopment application according to the stringent evaluation criteria contained within the City Code, the Development Services Department Staff recommends **APPROVAL** of the requested redevelopment plan with interior pool side yard setback variances and F.A.R. bonuses subject to the special conditions below.

CONDITIONS OF COMMISSION ACTION: If the application is approved consistent with the site plan submitted with this application, the Planning and Economic Development Department Staff recommends that the approval shall be subject to the following conditions:

1. The plans submitted for permitting shall substantially resemble the plans attached to this report. Significant modifications to the plans shall require a new application and public hearing.
2. Prior to submittal of building plans, the applicant shall obtain a separate parcel ID number from the Pinellas County Property Appraiser's office for each lot.
3. The plans submitted for permitting shall include all necessary information to demonstrate compliance with the landscaping and irrigation requirements set forth under Section 16.40.060.2.1.3. of the City Code.
4. This approval shall be valid through October 4, 2020. The applicant may request up to two two-year extensions from the POD prior to the expiration. The application shall be revised to comply with any code amendments that were adopted after the original approval, unless a variance is granted. After the original approval and any approved extension have expired without substantial construction commencing, the approval shall be void, and a new application shall be required.

Report Prepared By:

Elizabeth S Abernethy 9-27-17

Elizabeth Abernethy, AICP — Date
Zoning Official
Development Review Services Division
Planning & Economic Development Dept.

List of Exhibits:
Exhibit 1: Aerial location map
Exhibit 2: Property Card
Exhibit 3: Site plan, floor plans, elevations
Exhibit 4: Photographs
Exhibit 5: Project narrative, Financial Plan
Exhibit 6: Average Front Setback Exhibit
Exhibit 7: Correspondence

Exhibit 1

Case #17-51000003

Aerial Location Map

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City of St. Petersburg, Florida
Development Review Services
Case No.: 17-51000003
Address: 245 18th Avenue Northeast

N

(nts)

Exhibit 2

Case #17-51000003

Property Card

SUBDIVISION NORTH SHORE LOT E.40' of 10 & W.40' of 11 BLOCK 20

18-31-17 E-12

BUILDING

Location: 245-18th Avenue N.E.
#96711-E - 12/29/52 - $15,000
Owner Bay Builders, Inc. -
Duplex - Five rooms and 1½ bath in each unit and detached garage (Type V)(58' x 46'8") (22' x 28')

#5448B-R3 - 4/14/66 - $980
Owner R. Chapelle - Reroof existing residence Class A 3/12 pitch. Rip-off old roof (Type V) Federal Roofing, Contractor

#47593 - 5/25/77 - R3 - $900
Owner Mrs. Chappel - Tear off roof re-roof with 30lb felt - 240lb shingles (Type V) Maurice Roofing Service, contractor

#52523 - RS75 - 2/3/78 - $4,025
Owner Mrs. Reta Chapelle - 6'x12.6' dressing room and closets on raised slab with shingle roof to match (Type VI) T.J. Construction, Contr.

ELECTRICAL RS-75

#3941-D - 2-5-53 - N.DeShefy Lowry - 22c 21sw 36p 3w 2-meter 2-range 2-fans 1-dish washer

#3379 A-2/18/58 Chapelle Con-Hobbs Elec. 3ws 30amps 1 meter - 1 w.h.-

#E2694B - 1/22/70 - Chapelle - Keesler Elec. - 100amp 1-phase 1-meter 1-2HP room a/c Combine water heater meter

(over)

INSTALLATION

#M7104B - 12/19/75 - C. E. Chapelle St. Pete Htg & AC - 2-split-unit 4-Ton LP gas furn in attic with AC gas lines exist. (243 & 245)

PLUMBING

#6456A - 1/21/53 - Bay Bldrs. Fussell - 4-closets 2-sinks 4-lavatories 2-baths 2-ewh 2-showers

#7524A - 4/2/53 - Bay Bldrs. Fussell - 1-washer 1-tray

#12480E - 2/19/58 - Chapelle Cyphers Plbg. - replace ewh

GAS

522-A - Mayo - Pinellas Gas 12/25/54 - flr. fur.

#529A- 1-4-73 R.Chapelle Texgas Corp. 1-water htr.

#G3525A - 12/19/75 - Chapelle St. Pete Htg & AC - piping only to existing gas system - LP gas

G4544A - 5/17/77 - Chappelle Florida Gas - 1-wh - nat gas (243)

#G5204A- 3/1/78- Retta Chapple Fla Gas - nat gas - house piping only

SIGNS

SEWER

#2662 - 3/6/53 - Bay Bldrs. Fussell

SEPTIC TANK

Building

#2369 RS75 4/12/84 $1156
Owner Rette Chapelle
Tearout approx 15' exst facia & soffitt & rpl 1 exst window pane, repaint walls. Contractor Nuroom
(Type V)

R5-04503 4-30-85 $1995. RS-75
Owner: Chapelle - Put fiberglass gray shingles over one roof
(Type V) Contr: Santiago Roofing
BLC/bd

ELECTRICAL

#E3574F - 1/6/76 - Chapell-Elec Contr - 1-2HP Cen AC (245 - East)
#E3575F - 1/6/76 - Chapell-Elec Contr - 1-2HP Cen AC (243 - West)

#E1037G- 2/15/78 - Chapella-West Coast Elec - 2-ctr 2-recp 1-2HP cen AC

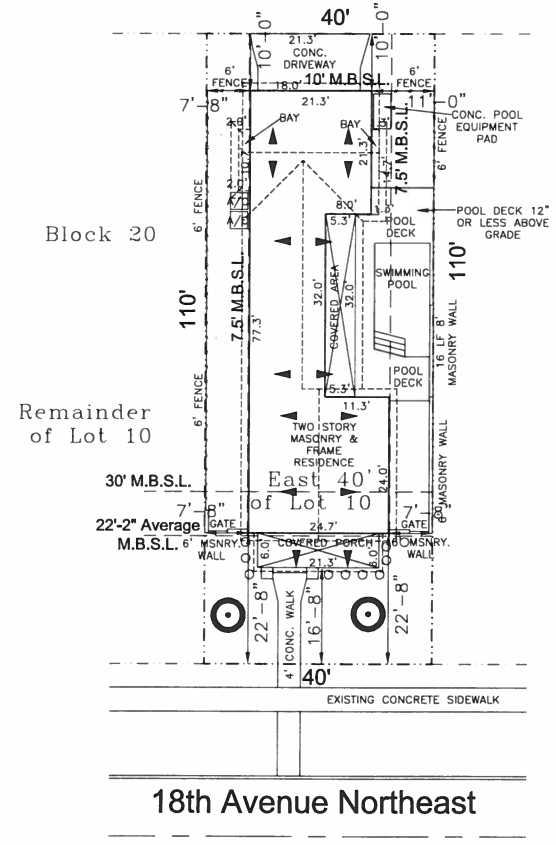
Exhibit 3

Case #17-51000003

Site Plan, Floor Plans, Elevations

Landscaping Legend & Specifications
PROPOSED TREE: SOUNTHERN MAGNOLIA, (MAGNOLIA GRANDIFLORA) 8' MIN. HEIGHT, FLORIDA GRADE NO. 1 OR BETTER – PLANTING LOCATION SHOWN THUS: ⊙
PROPOSED IXORA (IXORA COCCINEA) SHRUB 18" MIN. HEIGHT, – PLANTING LOCATION SHOWN THUS: ○
IRRIGATION NOTE: PROPERTY IRRIGATION TO BE IN–GROUND, MULTI–ZONE IRRIGATION SYSTEM ON TIMER CONTROL.
SOD: SODDED AREAS SHALL BE ST AUGUSTINE TURF. (NO MORE THAN 50% OF PERMIABLE AREA OF LOT TO BE SODDED) – SOD GROUND IN RIGHT–OF–WAY IN FRONT OF LOT.

Plan Legend	
ROOF LINES SHOWN THUS:	---------
ROOF SLOPE SHOWN THUS:	►



1"=10'

Flood Zone Data:
FLOOD ZONE X
COMMUNITY PANEL #125148 12103C0217 G
REVISED 9/3/03

LEGAL DESCRIPTION

THE EAST 40 FEET OF LOT 10, BLOCK 20
SNELL & HAMLETT'S NORTH SHORE ADDITION,
ACCORDING TO THE PLAT THEREOF AS RECORDED IN
PLAT BOOK 3, PAGE 77, PUBLIC RECORDS OF
HILLSBOROUGH COUNTY, FLORIDA, OF WHICH
PINELLAS COUNTY WAS FORMERLY A PART.

Site Data Table		
DESCRIPTION:	REQUIRED/ ALLOWED:	ACTUAL AREA:
LOT AREA:	7620 SF	4400 SF
LOT WIDTH:	60 FT	40 FT
FRONT YARD (1200SF) IMPERVIOUS AREA:	45% (540SF)	33% (392SF)
TOTAL IMPERVIOUS AREA:	65% (2860SF)	58% (*2575SF)
BUILDING COVERAGE AREA:	N/A	40% (1773SF)
BUILDING FLOOR AREA RATIO:	N/A	0.65 (3160 SF)

*TOTAL IMPERVIOUS AREA INCLUDES SWIMMING POOL AND POOL DECK

Project No. APC-1728 - Scale: 1"=10'-0"

Date Issued: 07-12-17

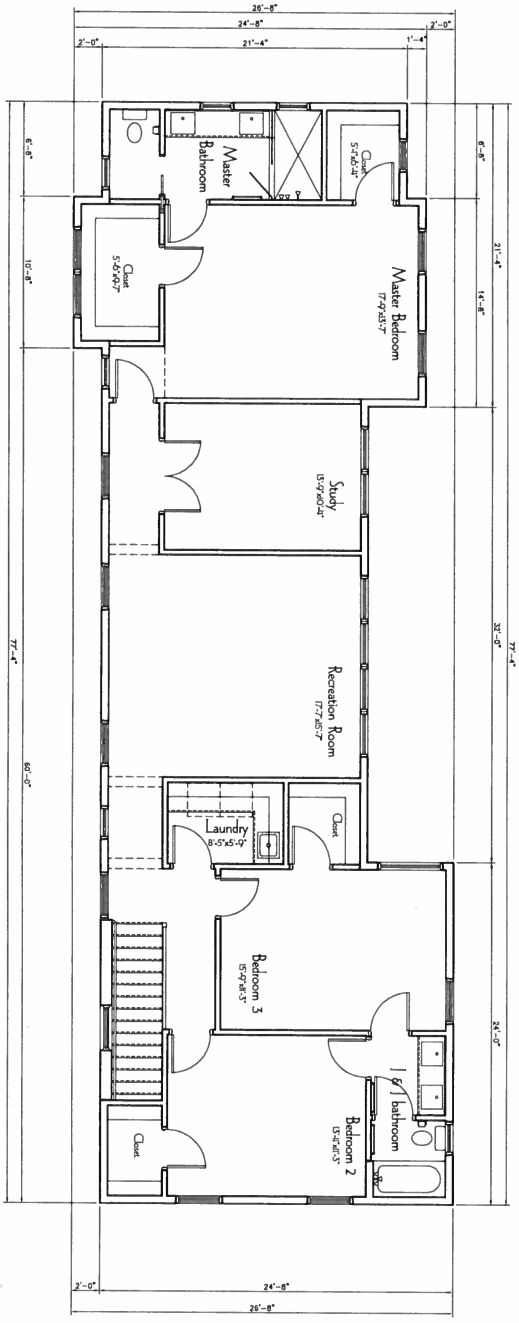
No.	Date:	Revision:
1	07-25-07	Add deck note,Rev. wall

245 18th Ave Residence West
245 18th Avenue Northeast
St Petersburg, Florida

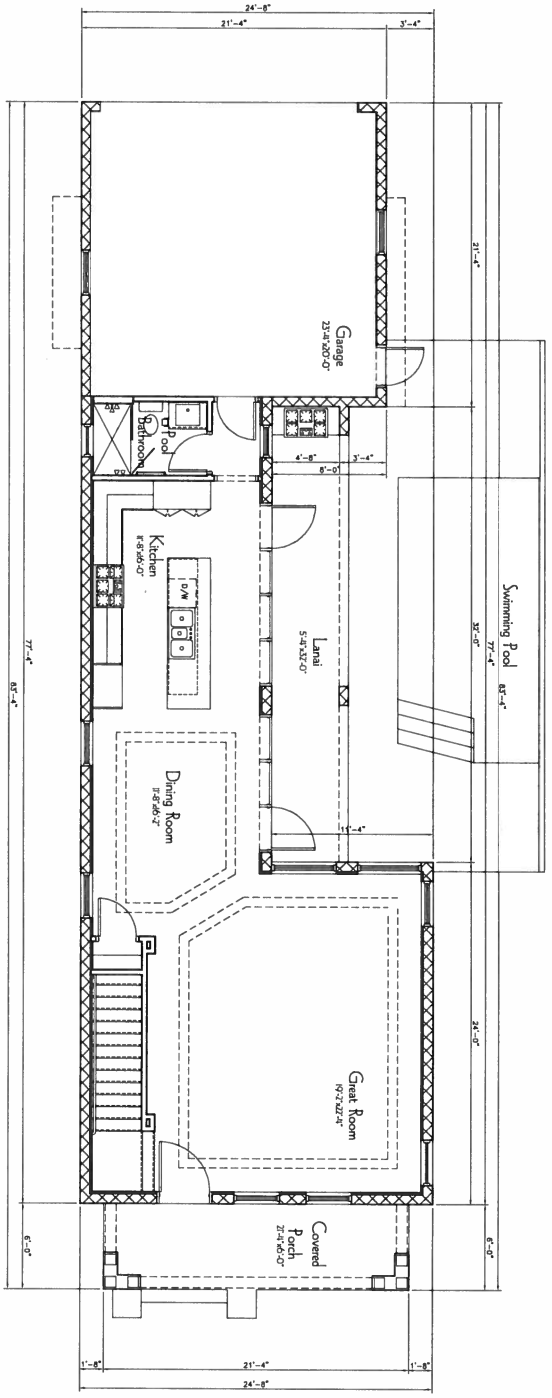
Site Plan

ALDERMAN Planning & Engineering
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL. 33732

Sheet
A.0.1W



Second Floor



First Floor

Area Tabulation	
LIVING AREA:	1028 SQ.FT.
1ST FLOOR:	1686 SQ.FT.
2nd FLOOR:	2714 SQ.FT.
GARAGE:	444 SQ.FT.
TOTAL UNDER ROOF:	3158 SQ.FT.
COVERED AREAS:	301 SQ.FT.
TOTAL UNDER ROOF:	3459 SQ.FT.

Floor Plans

Sheet A.1.1W

ALDERMAN Planning COMPANY
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL, 33732

Date Issued: 07-12-17

No.:	Date:	Revision:
1	07-25-07	Add bay window

Project No. APC-1728 - Scale: 1/4"=1'-0"

0' 1' 2' 4' 8' 16'

245 18th Ave Residence West

245 18th Avenue Northeast
St Petersburg, Florida

Front (Southerly) Elevation

Exterior Specifications

WALLS: PAINTED CEMENTITIOUS COATING.

WINDOWS: VINYL LOW-E INSULATED GLASS.

ROOF: RAISED SEAM METAL @ 8:12 INCLINE.

SILLS: PAINTED PRE-CAST & PAINTED HARDIETRIM.

DECORATIVE BANDS: PAINTED STUCCO

SOFFITS: HARDIEPANEL BEADBOARD SOFFIT

WINDOW TRIM: HARDIETRIM

A.F.F. = ABOVE FINISH FLOOR

F.F.E. = FINISH FLOOR ELEVATION

Right Side (Easterly) Elevation

Project No. APC-1728 - Scale: 1/4"=1'-0"

Date Issued: 07-12-17

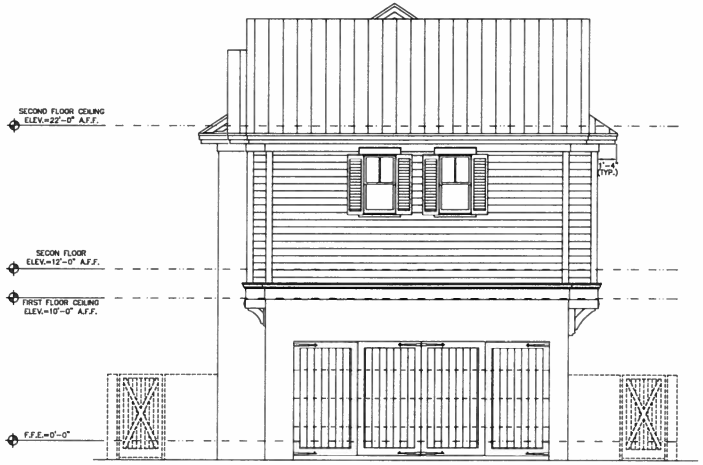
No.:	Date:	Revision:

245 18th Ave Residence West
245 18th Avenue Northeast
St Petersburg, Florida

Elevations

ALDERMAN Planning COMPANY
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL. 33732

Sheet
A.2.1W



Rear (Northerly) Elevation

Exterior Specifications

WALLS: PAINTED CEMENTITIOUS COATING.

WINDOWS: VINYL LOW-E INSULATED GLASS.

ROOF: RAISED SEAM METAL @ 8:12 INCLINE.

SILLS: PAINTED PRE-CAST & PAINTED HARDIETRIM.

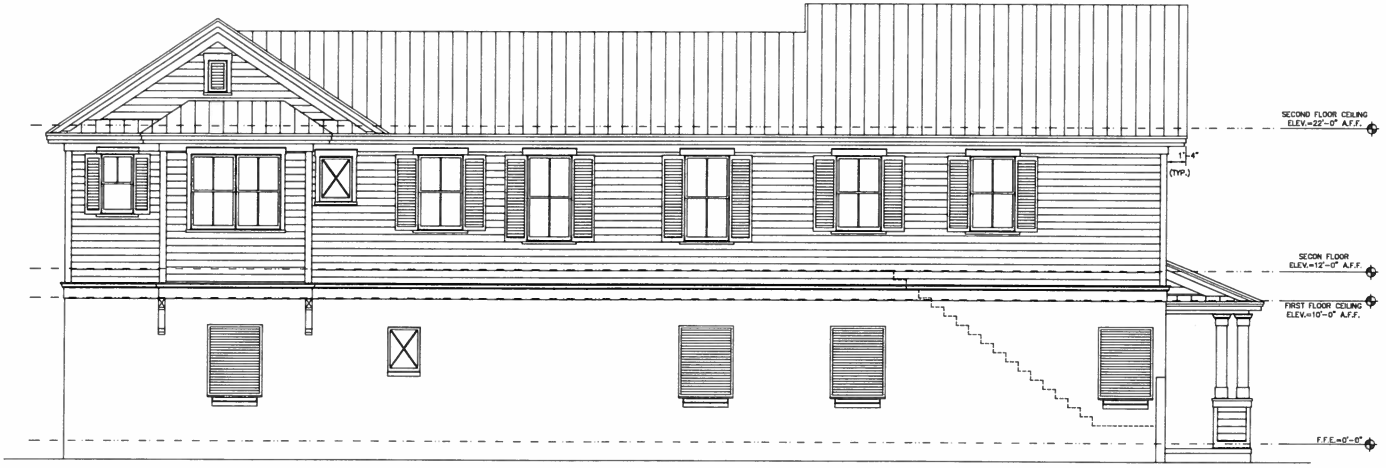
DECORATIVE BANDS: PAINTED STUCCO

SOFFITS: HARDIEPANEL BEADBOARD SOFFIT

WINDOW TRIM: HARDIETRIM

A.F.F. = ABOVE FINISH FLOOR

F.F.E. = FINISH FLOOR ELEVATION



Left Side (Westerly) Elevation

Project No. APC-1728 - Scale: 1/4"=1'-0"

245 18th Ave Residence West

245 18th Avenue Northeast
St Petersburg, Florida

Date Issued: 07-12-17

No.:	Date:	Revision:
1	07-25-07	Add bay window

Elevations

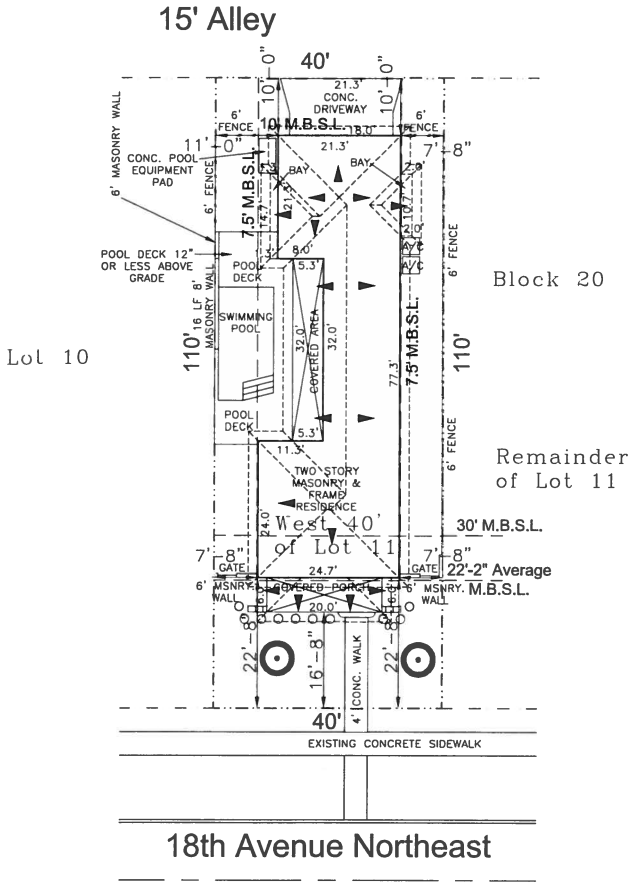
ALDERMAN Planning COMPANY
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL, 33732

Sheet

A.2.2W

Landscaping Legend & Specifications
PROPOSED TREE: SOUNTHERN MAGNOLIA, (MAGNOLIA GRANDIFLORA) 8' MIN. HEIGHT, FLORIDA GRADE NO. 1 OR BETTER – PLANTING LOCATION SHOWN THUS: ⊙
PROPOSED IXORA (IXORA COCCINEA) SHRUB 18" MIN. HEIGHT, – PLANTING LOCATION SHOWN THUS: ○
IRRIGATION NOTE: PROPERTY IRRIGATION TO BE IN–GROUND, MULTI–ZONE IRRIGATION SYSTEM ON TIMER CONTROL.
SOD: SODDED AREAS SHALL BE ST AUGUSTINE TURF. (NO MORE THAN 50% OF PERMIABLE AREA OF LOT TO BE SODDED) – SOD GROUND IN RIGHT–OF–WAY IN FRONT OF LOT.

Plan Legend	
ROOF LINES SHOWN THUS:	---------
ROOF SLOPE SHOWN THUS:	►



1"=10'

Flood Zone Data:
FLOOD ZONE X
COMMUNITY PANEL #125148 12103C0217 G
REVISED 9/3/03

LEGAL DESCRIPTION

THE WEST 40 FEET OF LOT 11, BLOCK 20
SNELL & HAMLETT'S NORTH SHORE ADDITION,
ACCORDING TO THE PLAT THEREOF AS RECORDED IN
PLAT BOOK 3, PAGE 77, PUBLIC RECORDS OF
HILLSBOROUGH COUNTY, FLORIDA, OF WHICH
PINELLAS COUNTY WAS FORMERLY A PART.

Site Data Table		
DESCRIPTION:	REQUIRED/ ALLOWED:	ACTUAL AREA:
LOT AREA:	7620 SF	4400 SF
LOT WIDTH:	60 FT	40 FT
FRONT YARD (1200SF) IMPERVIOUS AREA:	45% (540SF)	31% (376SF)
TOTAL IMPERVIOUS AREA:	65% (2860SF)	58% (*2559SF)
BUILDING COVERAGE AREA:	N/A	40% (1765SF)
BUILDING FLOOR AREA RATIO:	N/A	0.65 (3160 SF)

*TOTAL IMPERVIOUS AREA INCLUDES SWIMMING POOL AND POOL DECK

Project No. APC-1728 - Scale: 1"=10'-0"

245 18th Ave Residence East
245 18th Avenue Northeast
St Petersburg, Florida

Date Issued: 07-12-17

No.:	Date:	Revision:
1	07-25-07	Add deck note,Rev. wall

Site Plan

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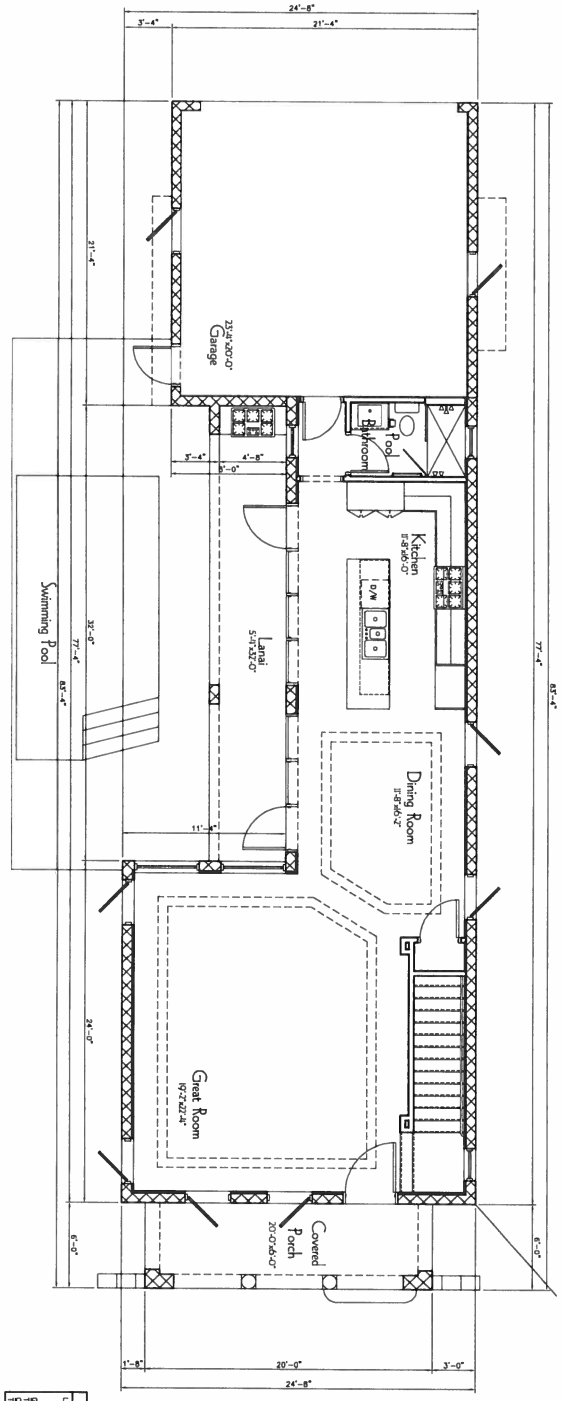
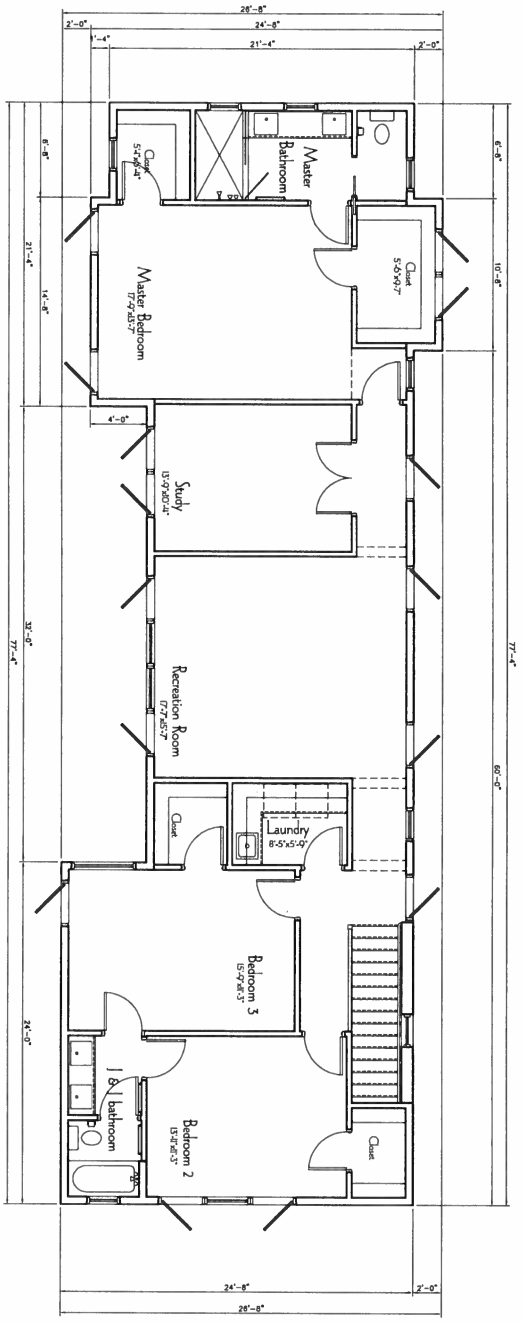
Sheet
A.0.1E



First Floor



Second Floor

Area Tabulation

LIVING AREA:	1028 SqFt
1st FLOOR:	1086 SqFt
2nd FLOOR:	2714 SqFt
TOTAL:	4468 SqFt
GARAGE:	3160 SqFt
TOTAL ENCLOSED:	2221 SqFt
COVERED AREAS:	3451 SqFt
TOTAL UNDER ROOF:	

Sheet A.1.1E

Floor Plans

ALDERMAN Planning COMPANY
Phone: 813.833.5161
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Date Issued: 07-12-17

No.:	Date:	Revision:
1	07-25-07	Add bay window

Project No. APC-1728 - Scale: 1/4"=1'-0"

245 18th Ave Residence East
245 18th Avenue Northeast
St Petersburg, Florida

Front (Southerly) Elevation

Exterior Specifications

WALLS: PAINTED CEMENTITIOUS COATING.

WINDOWS: VINYL LOW-E INSULATED GLASS.

ROOF: CLAY BARREL TILE @ 5:12 INCLINE.

DETAILS & SILLS: PAINTED STUCCO.

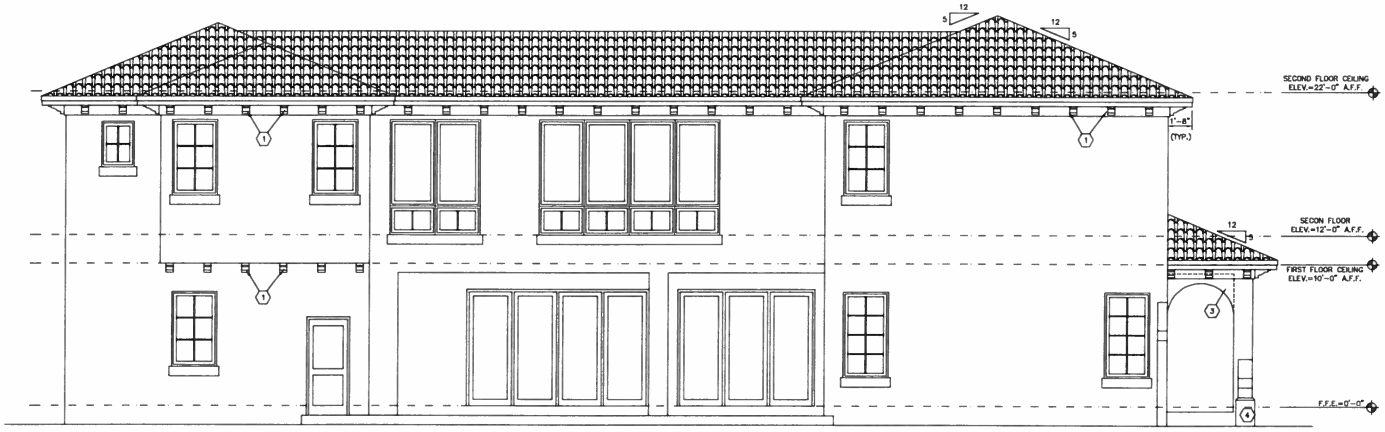
SOFFITS: HARDIEPANEL BEADBOARD SOFFIT

A.F.F. = ABOVE FINISH FLOOR

F.F.E. = FINISH FLOOR ELEVATION

Elevation Key

1. PAINTED RIGID FOAM CORBLE WITH URETHANE COATING (TYP.).
2. HB&G 12" PERMACAST PLAIN COLUMN WITH ATTIC BASE #L3030 & TUSCAN CAP #452B3
3. FRAME ARCH – CEMENTITIOUS COATING OVER WIRE MESH OVER TYVEK STUCCO WRAP OVER TYVECK HOME WRAP OVER 1/2" PLY WOOD
4. BUILT-UP STUCCO WATER TABLE



Left Side (Westerly) Elevation

Project No. APC-1728 - Scale: 1/4"=1'-0"

Date Issued: 07-12-17

No.:	Date:	Revision:

245 18th Ave Residence East
245 18th Avenue Northeast
St Petersburg, Florida

Elevations

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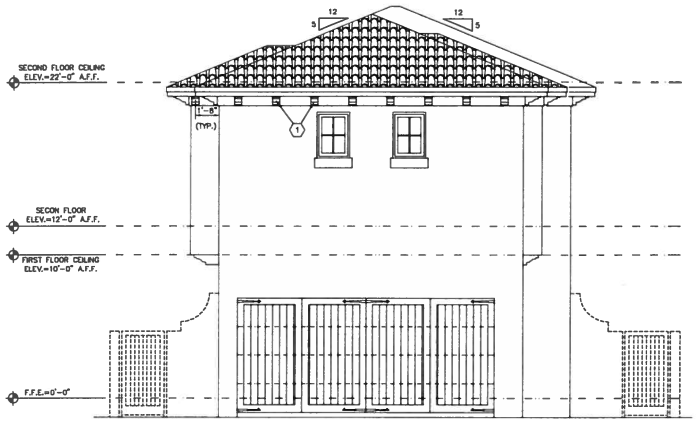
Sheet
A.2.1E



Rear (Northerly) Elevation

Exterior Specifications

WALLS: PAINTED CEMENTITIOUS COATING.

WINDOWS: VINYL LOW-E INSULATED GLASS.

ROOF: CLAY BARREL TILE @ 5:12 INCLINE.

DETAILS & SILLS: PAINTED STUCCO.

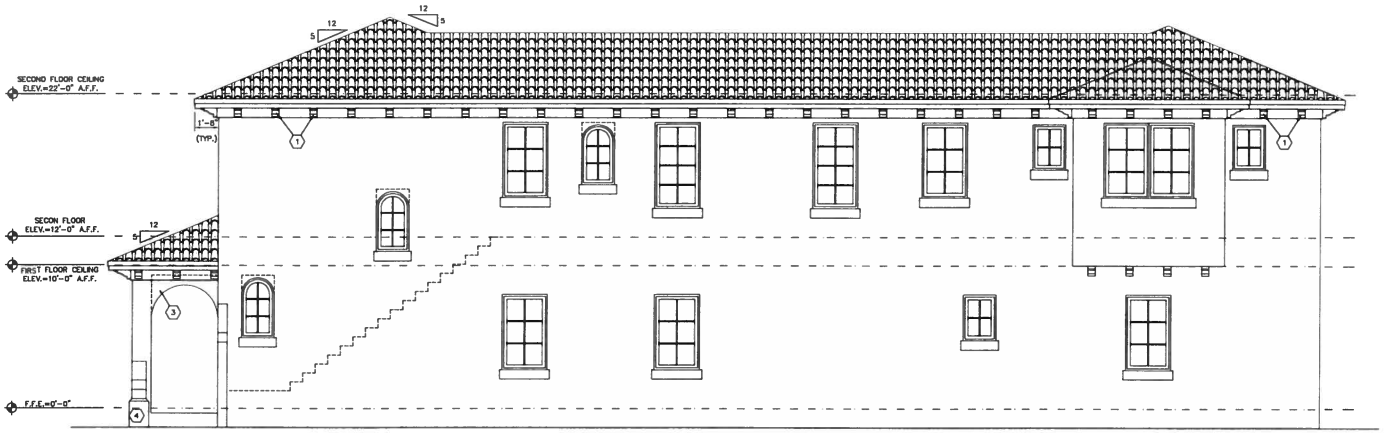
SOFFITS: HARDIEPANEL BEADBOARD SOFFIT

A.F.F. = ABOVE FINISH FLOOR

F.F.E. = FINISH FLOOR ELEVATION

Elevation Key

1. PAINTED RIGID FOAM CORBLE WITH URETHANE COATING (TYP.).
2. DELETED
3. FRAME ARCH – CEMENTITIOUS COATING OVER WIRE MESH OVER TYVEK STUCCO WRAP OVER TYVEK HOME WRAP OVER 1/2" PLY WOOD
4. BUILT-UP STUCCO WATER TABLE



Right Side (Easterly) Elevation

Project No. APC-1728 - Scale: 1/4"=1'-0"

Date Issued: 07-12-17

No.:	Date:	Revision:
1	07-25-07	Add bay window

245 18th Ave Residence East
245 18th Avenue Northeast
St Petersburg, Florida

Elevations

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Sheet
A.2.2E

Exhibit 4

Case #17-51000003

Photographs

207 18TH AVE N.E.

241 18th Ave NE
Exit Street View
N
© 2017 Google
© 2017 Google
245 18TH AVE N.E.
Report a problem
Google Earth

261 18th Ave NE
Exit Street View
N
© 2017 Google
© 2017 Google
Google Earth
Report a problem
255 18TH AVE N.E.

227 18th Ave NE
Exit Street View
N
229 18TH AVE N.E.
© 2017 Google
© 2017 Google
Google Earth
Report a problem

209 209 18th Ave NE
Exit Street View
200 18TH AVE N.E.
© 2017 Google
© 2017 Google
© 2017 INEGI
US Dept of State Geographer
Google Earth
Report a problem

209 209 18th Ave NE
Exit Street View
N
© 2017 Google
© 2017 Google
© 2017 INEGI
U.S Dept of State Geographer
Google Earth
Report a problem
210 18TH AVE NE

215 215 16th Ave NE
Exit Street View
N
© 2017 Google
© 2017 Google
© 2017 INEGI
US Dept of State Geographer
Google Earth
Report a problem
216 18TH AVE N.E.

227 18th Ave NE
Exit Street View
N
© 2017 Google
© 2017 Google
© 2017 INEGI
US Dept of State Geographer
Google Earth
Report a problem
225 18TH AVE N.E.

233 18th Ave NE
Exit Street View
© 2017 Google
© 2017 Google
© 2017 INEGI
US Dept of State Geographer
Google Earth
Report a problem
234 18TH AVE NE

253 18th Ave NE
Exit Street View
N
© 2017 Google
© 2017 Google
US Dept of State Geographer
© 2017 INEGI
Google Earth
Report a problem
246 18TH AVE N.E.

277 18th Ave NE
Exit Street View
N
© 2017 Google
© 2017 Google
© 2017 INEGI
US Dept of State Geographer
256 18TH AVE N.E.
Google Earth
Report a problem

Exhibit 5

Case #17-51000003

Project Narrative, Financial Plan

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REDEVELOPMENT

NARRATIVE (PAGE 1)

All applications for redevelopment must provide justification for the requested redevelopment based on the criteria set forth by the City Code. It is recommended that the following responses by typed. Illegible handwritten responses will not be accepted. A separate letter addressing each of the criteria may be provided as a supplement to this form.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE	
Street Address: 245 18th Avenue NE, St Petersburg, FL	**Case No.:** 17-51000003
Detailed Description of Project and Request:	
Redevelop existing duplex into two single family two story homes each with a two car garage & swimming pool	
1. **Building Type.** Describe how the proposed building type (e.g. single-family homes with garage apartments, duplexes, multi-family uses, etc.) will match the predominate building type in the block face across the street, for projects less than a city block. For projects equal to or greater than one city block, describe how the proposed building type for perimeter structures will match the predominate building type in the block face across the street.	
All of the other homes on the block are single family residences (some have accessory dwellings). All the other homes on the project side of the block facing teh street atre two story and the two homes directly across the street are two story.	
2. **Building Setbacks.** Describe how the proposed building setbacks (including both perimeter and interior setbacks) will match the predominate building setbacks in the block face across the street, for projects less than a city block. For projects equal to or greater than one city block, describe how the proposed building setbacks for perimeter structures will match the predominate building setbacks in the block face across the street.	
The proposed front setback is close to the overall block average but is slightly greater than that average in order to compement the front setbacks of the homes directly adjoining the project site. The rear setback greater than most of the other structures on the alley, but it is consistant with the NT-3 rear setback and provides the required space for automobile manueverablity. There is a great variety of side setbacks on both sides of the block; the proposed side setbacks are slightly larger than the min. required in th eNT-3 zoning district, but should blend well with the existing homes on the block	
3. **Building Type.** Describe how the proposed building scale (one-story or two-story principle structures) will match the predominate building scale in the block face across the street, for projects less than a city block. For projects equal to or greater than one city block, describe how the proposed building scale for perimeter structures will match the predominate building scale in the block face across the street.	
The proposed structures are narrow two story homes which represents a blend of the different building massing on the block. The existing building types on the block range from narrow one story structures to wide two story structures and also include a one and a half story home.	

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REDEVELOPMENT

NARRATIVE (PAGE 2)

All applications for redevelopment must provide justification for the requested redevelopment based on the criteria set forth by the City Code. It is recommended that the following responses by typed. Illegible handwritten responses will not be accepted.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE
4. **Site Development and Orientation.** Describe how the proposed site development and orientation (e.g. location of buildings, front entries, driveways, parking, and utility functions) will match the predominate development pattern in the block face across the street, for projects less than a city block. For projects equal to or greater than one city block, describe how the proposed development pattern for perimeter structures will match the predominate development pattern in the block face across the street. If alley access exists on the proposed site, garages and parking areas shall be designed for alley use.
The proposed homes have the same composition as most of the other houses on the block; they front on the
street, have front porches and have alley access parking.
5. **Floor area Ratio Bonuses.** FAR bonuses shall only be allowed for originally platted lots which have not been joined together. Structures on joined or combined lots (two or more originally platted lots) shall not be allowed FAR bonuses. If bonuses are required, please complete the following questions:
a. FAR Bonus of 0.20 – An FAR bonus of 0.20 shall be granted when structures are located in a traditional neighborhood context and designed in a traditional building style as defined by the City's Neighborhood Design Review Manual or the Land Development Regulations. Describe the principle architectural style of the proposed building and explain how it uses the correct proportions, fenestration patterns, details, and materials of the recognized style.
The Easterly home is a Spanish Colonial style home. The principle defining architectural features are: decorative
wing walls, ached porch entry, barrel tile roof, casement windows, arched windows, corbles under the eaves and
heavy textures stucco exterior.
The westerly home is coastal vernacular style. The principle defining architectural features are: single slope (shed)
front porch roof, shuttered windows, pediment style gables, lap siding, and metal roof. The two story symmetriacal
composition of the front elevation is common for this style.

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REDEVELOPMENT

NARRATIVE (PAGE 3)

All applications for a redevelopment must provide justification for the requested redevelopment based on the criteria set forth by the City Code. It is recommended that the following responses by typed. Illegible handwritten responses will not be accepted.

APPLICANT NARRATIVE
5. **Floor Area Ratio Bonuses** (continued): b. **FAR Bonus of 0.05** – Describe whether the proposed building is finished with decorative wall finishes typical of traditional development. This includes clapboard or single products of real wood "Hardi-Plank" or the equivalent, rough textured or exposed aggregate stucco, tile, brick, or stone. Vinyl or aluminum siding and smooth or knock down stucco shall not qualify for this bonus.
The Esterly home will have heavy textured stucco exterior finish.
The Westerly home will have exterior lap siding.
5. **Floor area Ratio Bonuses** (continued): c. FAR Bonus of 0.10 – Describe whether the proposed building includes a front porch for each unit and identify the minimum dimensions including the total square feet and depth. Each porch shall be a minimum 60 square feet and have a minimum functional depth of six (6) feet.
Both homes have a 6' deep front porch; the easterly house has a porch area of 120 sf; the westerly house has a
porch area fo 128 sf.

245 18th Ave Financing Plan

To whom it may concern,

A single purpose entity will acquire the property with cash. The soft costs will also be paid for with cash.

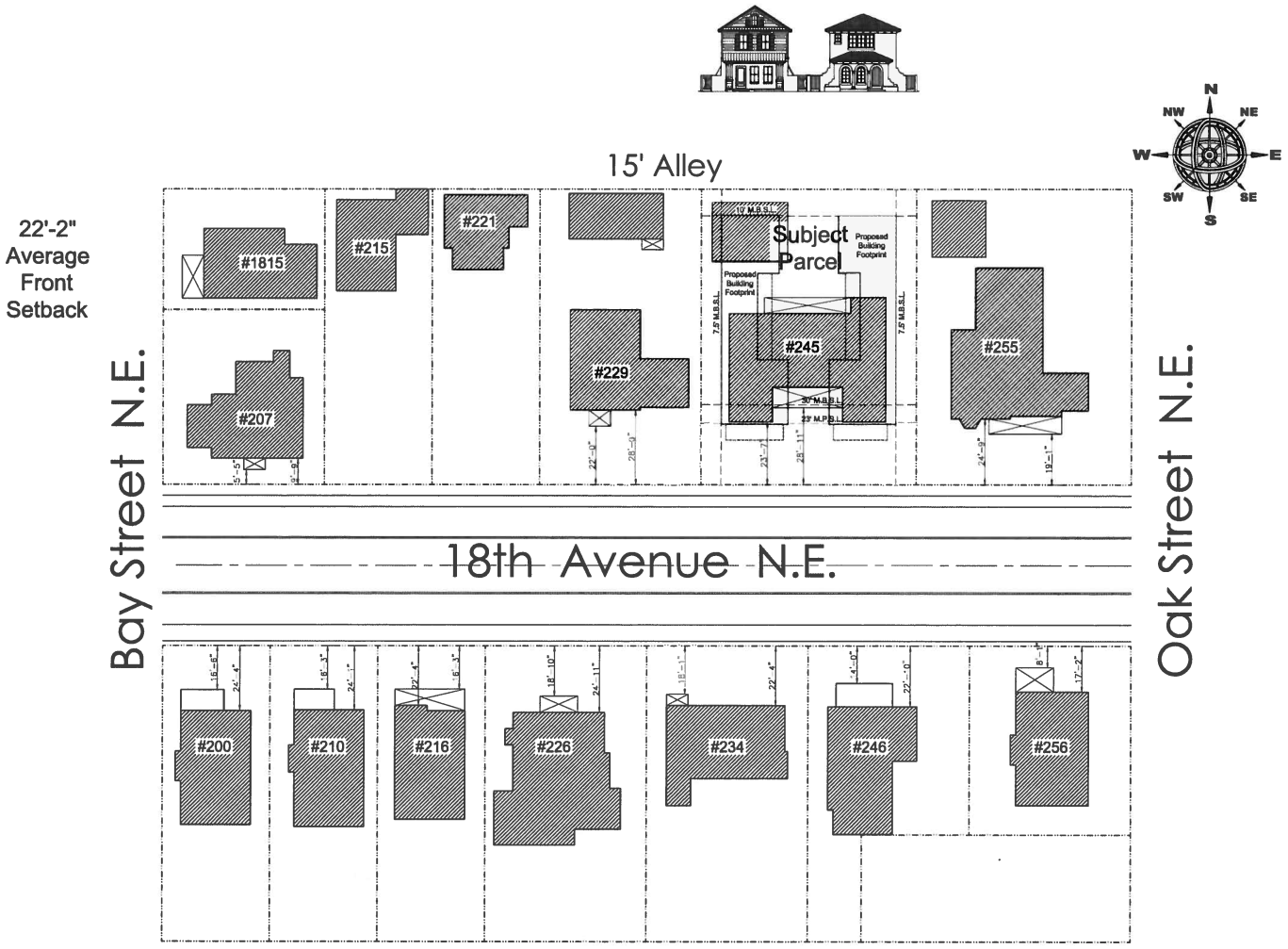
The entity will consider using construction financing for the vertical construction costs for the project. Those costs are yet to be fully determined but will not exceed 60% of the total project costs.

James Landers
Aspen VG

Exhibit 6

Case #17-51000003

Average Front Setback Exhibit



Project No. APC-1728 - Scale: 1"=20'-0"

245 18th Ave Residences
245 18th Avenue Northeast
St Petersburg, Florida

Date Issued: 07-12-17

No.:	Date:	Revision:

Street Front Setback Diagram

ALDERMAN Planning COMPANY
Phone: 813.833.5161
PO Box 55755 St. Petersburg FL, 33732

Sheet
A.3.1

Exhibit 7

Case #17-51000003

Correspondence

Elizabeth Abernethy

From: Robin Reed <rlreed@tampabay.rr.com>
Sent: Monday, September 25, 2017 3:13 PM
To: Elizabeth Abernethy
Cc: 'Peter MOTZENBECKER'; 'Charleen McGrath'; 'Kimbyflies@yahoo.com'; 'John Barie'; Doug Gillespie; 'Natalie DeVicente'
Subject: Re: 248 18th Ave. NE

Re: 248 18th Avenue NE

Ms. Abernethy,

As the Historic Old NE Neighborhood Association has stated on innumerable occasions and during the LDR process, we are opposed to the "redevelopment process" for our neighborhood. This part of the code was intended to spur redevelopment in blighted neighborhoods and those areas needing incentives for redevelopment. Obviously, Old NE does not need to incentivize redevelopment.

Having said that, in this particular case two houses appear to be a better choice than one extremely large house. However, the result is two larger houses situated on substandard lots. For this reason, the Association cannot support variances for the swimming pools.

The neighbors on this block have also expressed some concerns about the design and configuration of the two houses; there are no other Mediterranean style houses on the block, and a metal roof is found on only one other house on the block. For reasons of privacy, there is also a preference for reversing the site plans so that the pools are adjacent to their neighbors rather than back to back on the two lots. Some residents have also suggested that the houses not be painted white, as this makes them stand out starkly against the older homes, and appear even larger than they are.

The Association promotes and supports the replanting of our oak tree canopy; we would request that oak trees be planted in the parkway rather than in the front yard.

Regards,
Robin Reed
Chair, HONNA Planning and Preservation Committee

Virus-free. www.avast.com

Elizabeth Abernethy

From: James Landers <james@aspenvg.com>
Sent: Monday, September 25, 2017 4:19 PM
To: Elizabeth Abernethy; aldermanplanning@gmail.com
Subject: RE: 248 18th Ave. NE

Liz,

My firm has made 5+ separate requests to meet with the neighbors to get their input. Short of one brief email reply form Natalie, I have yet to receive an audience to hear and respond to their request and or concerns. If the DRC is going to encourage neighborhood outreach, then is should be noted when the develop does exactly that but gets no response.

Also, in the very first meeting with the neighbors, we discussed a plan that fits exactly that we designed. Namely

- Two houses versus one big house
- Homes around 2700 SF.
- Interior pools.

James

From: Elizabeth Abernethy [mailto:Elizabeth.Abernethy@stpete.org]
Sent: Monday, September 25, 2017 4:03 PM
To: j.landers0675@gmail.com; aldermanplanning@gmail.com
Subject: Fwd: 248 18th Ave. NE

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** Robin Reed <rlreed@tampabay.rr.com>
> **Date:** September 25, 2017 at 3:12:40 PM EDT
> **To:** 'Elizabeth Abernethy' <Elizabeth.Abernethy@stpete.org>
> **Cc:** 'Peter MOTZENBECKER' <petermotz@aol.com>, 'Charleen McGrath' <cfmcgrath@msn.com>, "'Kimbyflies@yahoo.com'" <kimbyflies@yahoo.com>, 'John Barie' <jpbarie.architect@gmail.com>, Doug Gillespie <dgillespie@mjgarch.com>, 'Natalie DeVicente' <natalie@southernrootsrealty.com>
> **Subject: Re: 248 18th Ave. NE**
>
> Re: 248 18th Avenue NE
>
> Ms. Abernethy,
>
> As the Historic Old NE Neighborhood Association has stated on innumerable occasions and during the LDR process, we are opposed to the "redevelopment process" for our neighborhood. This part of the code was intended to spur redevelopment in blighted neighborhoods and those areas needing incentives for redevelopment. Obviously, Old NE does not need to incentivize redevelopment.

Elizabeth Abernethy

From: James Landers <james@aspenvg.com>
Sent: Monday, September 25, 2017 4:48 PM
To: 'Robin Reed'
Cc: petermotz@aol.com; 'Natalie DeVicente'; kimbyflies@yahoo.com; Elizabeth Abernethy; aldermanplanning@gmail.com; 'Natalie DeVicente'; 'John Barie'
Subject: FW: 248 18th Ave. NE

Robin,

Hope all is well. I was forward your note from Liz. A few comments.

Before putting a pencil to paper, I met with all the neighbors on the street to get this input. Natalie was nice enough to put the meeting together. There was a consensus on the following:

- All neighbors preferred two homes rather than one large house, another duplex or keeping the existing blighted duplex
- Home should be kept in the 2500-2700 SF range which matches the sizes of most of the homes on the street
- The setbacks should match the other homes on the street.

With their input, Dillon and I go to work delivering a concept almost verbatim to what was suggested. Since then, **I have made numerous requests** to meet with the neighbors(emails to Natalie) to again get their input on the design, colors, etc. Unfortunately and despite my repeated written requests, I have never been invited back to get their input. In fact, this email is the first detail I have been provided.

We are always open to input and in this case, have gone to extraordinary effort to obtain their input. Had a collaborative process been followed, we might have been in a better position to address some of the issues that have been addressed. I ***AGAIN*** offer my time to meet with anyone that wants to discuss this project to discuss any ideas and concerns they may have.

Lastly, I believe ***collaboration and cooperation to be a two way street***. If my requests, emails and invitations are flat out ignored, what else do you suggest I do to get the input we find to be valuable?

James Landers

From: Elizabeth Abernethy [mailto:Elizabeth.Abernethy@stpete.org]
Sent: Monday, September 25, 2017 4:03 PM
To: j.landers0675@gmail.com; aldermanplanning@gmail.com
Subject: Fwd: 248 18th Ave. NE

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** Robin Reed <rlreed@tampabay.rr.com>
> **Date:** September 25, 2017 at 3:12:40 PM EDT
> **To:** 'Elizabeth Abernethy' <Elizabeth.Abernethy@stpete.org>
> **Cc:** 'Peter MOTZENBECKER' <petermotz@aol.com>, 'Charleen McGrath' <cfmcgrath@msn.com>,

Elizabeth Abernethy

From: Dan K. Richardson <danyueh33@aol.com>
Sent: Monday, September 25, 2017 6:03 PM
To: Elizabeth Abernethy
Subject: 248 18th Ave NE

Dear Liz,

The opinions expressed by Robin Reed do not reflect or represent the outlook and concerns of the majority of us homeowners who live in Old NE National Historic District. She and her little clic of activist express overly restrictive opinions about other people's homes and property then get the City to interfere on their behalf against NE property owners.

As a professional planner and appraiser, I took my time to look at the planned redevelopment which replaces a rental duplex with two homes more conducive to owner occupancy. The interior pool arrangement between the new homes is far more desirable and logical in design than having to build high screening walls to either side of the property.

To think that this radical, with no ownership interest in the subject property, feels empowered by our City to dictate home design is outrageous and violates our property rights. Her comments about roofing material and exterior paint color are exactly why we cannot have a local historic district. These are features the City Planning Dept has repeatedly told us NE homeowners would not be dictated by these HONNA zealots.

I would hope you would ignore this radical and empower us home & NE property owners to innovate and invigorate our neighborhood.

For the record, I have no interest or role in this property. I am merely a concerned resident of Old NE who is maintaining a historic home and building one next door.

Thank you,

Dan Richardson
PhD, Michigan - Urban Technological & Environmental Planning.

MSc, Rutgers - Center for Urban Policy Research

BA, South Florida - Geography & Geology

Sent from my iPhone

Elizabeth Abernethy

From: Jane Seaton <Jane.Seaton@RaymondJames.com>
Sent: Tuesday, September 26, 2017 10:21 AM
To: Elizabeth Abernethy
Subject: 245 18th Avenue NE

Elizabeth

I live at 234 18th Avenue NE, directly across from this lot. I am strongly opposed to setback variances that will allow the developer to build larger houses. Mine is one of the largest on the block and his proposal would build 2 houses that are larger than mine. I would prefer smaller houses that fall within the same setbacks as the rest of the houses on the block. I would also prefer the developer revisit the Mediterranean style as there are no other houses on the block with that style. In additional to being very large these houses will stick out badly compared to the other houses on the block.

Thank you for your consideration of my perspective.

Regards – Jane Seaton

Elizabeth Abernethy

From: Tamera Boudreau <tamboudreau@gmail.com>
Sent: Tuesday, September 26, 2017 11:01 AM
To: james@aspenvg.com
Cc: Nancy Bahls; Janet Strong; gkujava@gmail.com; susanakujava@gmail.com; Tammy Boudreau; romer305@gmail.com; Elizabeth Abernethy
Subject: 248 18th Ave, NE

Hello Mr. Landers,

I am Tamera Boudreau. I live directly behind the proposed construction, and I will be directly impacted by any decision made with regard to this proposed construction. I disagree with your statement pretending an attempt to reach out to all neighbors concerned. You have never tried to contact me.

I oppose a variance on the grounds of noise (two families instead of one) suitability (this neighborhood has a special character which should be respected) and stress to the system (too much density for an already-stressed water, plumbing and ecological system). I understand that you threaten a humongous house, in order to fulfill your need for profit. While I think the construction of a new (single) house would be nice, any development should be to scale and within the existing footprint. I'd like you to respect the character of the neighborhood.

If you would like to meet with me to discuss the above, I'd be happy to talk to you. By copy of this letter I officially oppose the variance you request. Ms. Abernathy, I ask that you take my considerations and concerns into account. In advance, I thank you for your kind attention to this matter.

Sincerely,

Tamera Boudreau

Tamera Boudreau | Partner

www.BoudreauDahl.com
6440 North Central Expressway
Suite 804, Lockbox 54
Dallas, Texas
75206
(214) 296-9688

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Elizabeth Abernethy

From: James Landers <j.landers0675@gmail.com>
Sent: Tuesday, September 26, 2017 11:54 AM
To: Dillon Alderman; Elizabeth Abernethy
Subject: Fwd: FW: 245 18th Avenue NE

Thanks Dillon. Liz, trust this point will be part of the staff report.

JL

---------- Forwarded message ---------
From: Dillon Alderman <aldermanplanning@gmail.com>
Date: Tue, Sep 26, 2017 at 11:23 AM
Subject: Re: FW: 245 18th Avenue NE
To: James Landers <j.landers0675@gmail.com>

James,

You are correct - the redevelopment code requires the new structures to compliment the front setbacks of the existing structures.

Thank you, Dillon

On Tue, Sep 26, 2017 at 11:17 AM, James Landers <j.landers0675@gmail.com> wrote:
Dillon, correct me if I'm wrong but the setbacks we are looking for are only to comply with the requirements to fit the pattern of the rest the houses on the street.

Regarding the comment on the Mediterranean style, again, I have attempted to gain their input for multiple months. Natalie assured that she was sharing the information that I sent to your neighbors. Other than, I would've assumed that we were heard about it months ago.

James

On Tue, Sep 26, 2017 at 10:35 AM Elizabeth Abernethy <Elizabeth.Abernethy@stpete.org> wrote:

FYI

Thanks!

--Liz

From: Jane Seaton [mailto:Jane.Seaton@RaymondJames.com]
Sent: Tuesday, September 26, 2017 10:21 AM

Elizabeth Abernethy

From: Mick Callahan <mick@mickcallahanlaw.com>
Sent: Tuesday, September 26, 2017 12:15 PM
To: james@aspenvg.com; Elizabeth Abernethy
Subject: 248/248 18th Ave, N.E

Mr. Landers:

We reside at 255 18th Ave. N.E., the home and pool house structure to the immediate east of your proposed construction project. I read your note to Robin Reed as part of the materials distributed by Natalie DE Vicente today. I had previously sent her my comments regarding the project and I assumed, perhaps wrongly, that they had made their way to you.

We have no objection to the variance request for two home project as described in your note yesterday. The square footage, color, style, and roof materials, locations of the small swimming pools, and facades are of no particular concern to us either. I looked at the project on 7th Avenue and I believe that you did a good job in varying the styles, front facades and trim and making the most of the limited space available on the three structures built there. Any effort to satisfy our neighbors, Robin Reed, or others on the total square footage, style, color, etc.to conform to the character of the neighborhood is of course o.k. with us.

We do have one request. There is a very tall Norfolk Island pine between our home and the existing duplex which is leaning to the south considerably more after the hurricane and is a hazard to fall in the future. I would appreciate your removing it as part of the project. There were three of them along the property line, and two were cut by Mr. Sanders a couple of years ago.

Good luck with your project. Please feel free to call us if you have any further questions or comments.

Sincerely,

Mick and Inga Callahan

--

Michael T. Callahan, Attorney at Law
2935 1st Avenue North, Suite 2
St. Petersburg, FL 33713
Phone: 727-209-1504
Fax: 727-502-9621
E-mail: mick@mickcallahanlaw.com
Website: www.mickcallahanlaw.com

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Elizabeth Abernethy

From: Craig Greaves <cmgreaves@outlook.com>
Sent: Tuesday, September 26, 2017 12:52 PM
To: Elizabeth Abernethy
Subject: Hello and inquiry on Case No. 17-51000003

Hi Elizabeth,

My name is Craig Greaves and I am the owner of a house located at 236 19th Avenue NE, which is directly behind the property at 245 18th Avenue NE (case number 17- 51000003). I am responding to the memo that was sent to me dated September 11, 2017. Are there any additional drawings of the building(s) being proposed and how it (they) would be cited on the lot that you can either email to me or that I can access online? Please advise, thanks.

Craig Greaves

Elizabeth Abernethy

From: Natalie DeVicente <natalie@southernrootsrealty.com>
Sent: Tuesday, September 26, 2017 2:35 PM
To: James Landers
Cc: Robin Reed; petermotz@aol.com; kimbyflies@yahoo.com; Elizabeth Abernethy; aldermanplanning@gmail.com; John Barie
Subject: Re: 248 18th Ave. NE

James,

Thanks for your email. I had been traveling at the end of August through the beginning of September, only to return to a hurricane coming our way. Your timing in asking for another organized meeting could not have been worse, so I apologize for not touching base sooner, as I am the only organizer bringing neighbors together. Just as I initiated the discussion in the beginning with you, as neighbors, we appreciate our opinions being heard and want to work with you in what is best for our block.

After our initial meeting, not all our neighbors fully expressed their individual opinions until most recently when they received the letter for the Council meeting and had time to really review. As I did tell you before, many neighbors are not on board with what was presented, as we were told a max of 2500SF or less would be built there, and now the numbers have gone up. Also, the square footages you proposed are similar to other homes on the street, but all of those house are on 60'-80' wide lots, not 40' wide lots. The 40' wide lots have houses between 950 and 1650 SF. We all realize that this is not a profitable size from a new or redevelopment standpoint, but the neighbors did make it clear that we did not want two massive "towers" or "boxes" at our initial meeting either. They felt the designs did not have enough dimension and character for their size to properly fit in with the other homes on our block. That does not mean they are not on board with splitting the lots, as most of us agree that two homes are better than one massive home or a townhouse option, and certainly better than the property that is sitting there now.

Since the neighbors on the back side of the alley way behind this property (on 19th), and neighbors on the north side of 17th Avenue Ne have also received letters regarding the Council meeting, I was was approached by a few of them just yesterday about discussing the plans further. I do think it would be beneficial for these neighbors to be included in the discussion, as the ones across the alley way are most concerned about what will be built.

Please let me know some available dates and times when we can get a meeting in soon, so that I have time to coordinate with as many neighbors as possible.

Thanks,
Natalie

Natalie DeVicente
Licensed Real Estate Broker/Owner
Southern Roots Realty, LLC
727-409-2891 direct
727-498-1673 office
727-498-2965 fax
Natalie@southernrootsrealty.com

Visit our website for available properties and more information:
www.southernrootsrealty.com

Elizabeth Abernethy

From: Chris Durig <durig99@gmail.com>
Sent: Tuesday, September 26, 2017 4:39 PM
To: Elizabeth Abernethy
Cc: James Landers
Subject: RE: 1313 28th Ave N | St Petersburg, FL 33704

Hi Elizabeth,

My name is Chris Durig and I am writing you in regards to 1313 28th Ave N | St Petersburg, FL 33704. I understand the property has been sold to a developer, Aspen Venture Group, which has plans to teardown the current structure, split the lot into two lots, and build two new homes. I live on the street (address below) and wanted to let you know that I am in favor of this and would like to see Aspen Venture Group approved to move forward with this project.

Let me know if you have any questions.

Regards,
Chris Durig
1227 28th Ave N
St Petersburg, FL 33704
M: (980) 242-7447
E: durig99@gmail.com

Elizabeth Abernethy

From: Julia McGinty <juliamcg1010@yahoo.com>
Sent: Tuesday, September 26, 2017 4:41 PM
To: Elizabeth Abernethy
Subject: Redevelopment: 245-248 18th Ave. NE

My name is Julia McGinty. I live at 235 19th Avenue NE, one block north of the proposed new construction.

I have lived in the neighborhood for over 15 years and during that time I've seen many changes to the zoning and new construction regulations that have, in my opinion, negatively impacted the "feel" of the neighborhood. While I realize that the community must find a balance between maintaining the intimate, old-time feel of the Old NE and the right of individual property owners to enjoy their homes to the fullest, I've been disappointed that so much of the new construction appears to have been speculative in nature with an eye to maximizing the profit of developers.

Mr. Landers purchased an older, run down duplex with the intention of putting as much "house" on the property as he can so that he can maximize his profit. He will not live in anything that is built on the land. His sole purpose is to make money. I'm certainly not against making money but not if the path to profit negatively impacts those who have lived in the neighborhood for years and who chose to live there expressly because of the green space between each house, the smaller size of the homes, the "bungalow" feel of the homes and the trees surrounding them. We really don't want new neighbors who "loom" over us.

I'm concerned that the neighborhood is losing its character and charm as more of these McMansion's are constructed. Shoe-horning two homes onto a single lot or building a single home of a size that is clearly not in keeping with the rest of the block will be another step in that direction. Mr. Landers was not unaware of the typical size of homes on the block and in the immediate area when he purchased the lot. If he could not purchase the lot and build a spec home that is in keeping with the other homes on the block and still make a profit, why did he buy the lot? His intent to build an over-sized home or to put two homes on a single lot will alter the character of the block irreparably just so he can maximize his profit. Well, he didn't actually have to buy the lot, did he? Why should his right to turn a profit supersede our right to enjoy type of neighborhood that we live in?

I oppose the variance on the grounds that both proposed plans differ significantly from the current style of the block and surrounding blocks and that the variance is not for an existing inhabitant of the Old NE but rather for the economic benefit of a developer who does not live in the area and was not forced to purchase the lot.

I appreciate you consideration of my views and hope to be at the hearing but work may prevent my attending.

Regards,

Julia McGinty
727-418-2410

Elizabeth Abernethy

From: Tamera Boudreau <tamboudreau@gmail.com>
Sent: Tuesday, September 26, 2017 4:00 PM
To: Elizabeth Abernethy
Cc: Nancy Bahls; Janet Strong; gkujava@gmail.com; susanakujava@gmail.com; romer305@gmail.com; james@aspenvg.com
Subject: Addendum to opposition to Variance request re: Redevelopment: 245-248 18th Ave. NE

Dear Ms. Abernethy,
I ask that you submit the following considerations to my opposition to the above request for a variance. Many thanks, Tamera Boudreau

Addendum to comments opposing the Variance requested:

1. **Mr. Saunder's application fails to demonstrate that the existing conditions and circumstances are such that the strict application of the provisions of the Land Development Regulations would deprive Mr. Saunders of reasonable use of his land, building, or structure.** Mr. Saunders asks that the strict application of the Land Development Regulations not be applied to his property, yet he fails to show that the accepted 60-foot zoning width requirement poses any hardship whatsoever. Mr. Saunders offers no evidence showing that the normal development of his land, i.e., the building of a structure within the guidelines that we in the neighborhood abide by, causes sufficient hardship. Further, Mr. Saunders also seeks exception to the normal requirement of a 5 – 6 foot side setback, yet offers no evidence that would justify a deviation from this normal policy, a policy designed to protect the public and the local neighborhood. A reasonable use of Mr. Saunder's land is given via the already-existing construction guidelines. Although it is clear that Mr. Saunders as a developer, like all developers, would like to subvert the normal rules in order to maximize profit, he should not be permitted to do so. The already-existing requirements provide a reasonable use of his land. Florida law has long-held that that a developer, like Mr. Saunders, may not demonstrate the hardship required to obtain a variance by pleading less-than-hoped profits as the basis for the variance. In order to be entitled to a variance on the basis of hardship, it is essential that there is some exceptional and unique hardship to the individual landowner which is not shared by the other property owners in the area. See, *Elwyn v. City of Miami*, 113 So.2d 849 (Fla. 3d DCA 1959) *Board of Adjustment of City of Ft. Lauderdale v. Kremer*, 139 So.2d 448 (Fla. 2d DCA 1962) (a variance is improper when it is sought for economic advantage and when the hardship alleged is not peculiar to the property in question).

2. **Mr. Saunder's application fails to demonstrate that** special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought.

Specifically, Mr. Saunders fails to show that a strict application of the provisions of the chapter would provide him with no means for reasonable use of his land. Mr. Saunders, like all other property owners, is able to build according to the current code. Mr. Saunders offers no evidence that a strict application of the provisions of the building code would leave him with no means for reasonable use of the land, buildings or other structures. In fact, there is no substantial evidence in the record to show hardship, or inability to make any reasonable use of the property. Reasonable use of his land, by definition, is the use given by the building code, which permits building within the already-existing footprint. In land-use law, a variance seeker must demonstrate an exceptional and unique hardship to

the individual landowner not shared by other property owners in the area. *Nance v. Town of Indialantic*, 419 So.2d 1041 (Fla. 1982).

Florida requires that an applicant who seeks a variance must demonstrate a "unique hardship" in order to qualify for a variance. *Bernard v. Town Council of Palm Beach*, 569 So.2d at 855 (Fla.App. 4 Dist. 1990), citing *Nance*. Pinellas County Code Section 166-291(3) requires an applicant to submit substantial competent evidence establishing that:

a. A literal enforcement of the provisions of this article would result in **extreme hardship due to the unique nature of project and the applicant's property**;

b. The variance sought to be granted is the minimum variance that will make possible the reasonable use of the applicant's property; and

c. The granting of the requested variance will be in harmony with the general intent and purpose of this article and will not be injurious to the area involved or otherwise detrimental or of adverse effect to the public interest and welfare.

A unique hardship is not demonstrated in the present case; an extreme

hardship is not demonstrated; nor has there been any showing made that the

variance sought to be granted is t

he minimum variance. On the other hand, the

variance sought would be injurious to the area involved. As landowner abutting

the property in question, I can see that the replacement

of one house (though it

be termed a condominium) with the construction of two houses, is a negative

development, increasing the density of my neighborhood, changing its

character,

and stressing its ecological system. For these reasons the variance

requested should be denied.

Postnote: Mr. Saunders does not demonstrate himself to be a landholder, or otherwise a person with standing to request the variance.

Thank you for your kind consideration of the above.

Tamera Boudreau
434-249-9243

Elizabeth Abernethy

From: James Landers <j.landers0675@gmail.com>
Sent: Tuesday, September 26, 2017 5:55 PM
To: Elizabeth Abernethy; 'Dillon Alderman'
Cc: juliamcg1010@yahoo.com
Subject: RE: Redevelopment: 245-248 18th Ave. NE

Mrs. Abernathy,

I would like to respond to Mrs. McGinty's email.

1. I have lived in Old NE for over 22 years of my life blocks away from this particular site. I have raised my 4 children in this neighborhood. Having never met her, I find it incredulous and rude that one would make this assumption as to where I live, my motives, etc.
2. Mrs. McGinty was not at the neighborhood meeting we had PRIOR to purchasing the property. Had she been at the meeting, she would not have the need to incorrectly assume what my intentions were or are. She would also know that I **solicited the input of all the neighbors before buying the property** and before putting any design considerations on paper.
3. Had the neighbors voiced objection to the plan at that time, I simply would have walked away and let the existing owner rent out the run down duplex into perpetuity. Her suggestion that I blindly proceeded with the purchase without the input of the neighbors is categorically untrue and misleads the board.
4. The fact is it was the NEIGHBORS that suggested 2 homes versus 1 larger single family home. It was the neighbors that all agreed that two single family houses on the lot would be better than a run-down duplex. I pursued the plan suggested by the neighbors, not what was best for me economically.
5. If my goal, as she incorrectly states, was to put as much "house" on the site, I would have simply proceeded in that direction without the input of the neighbors.
6. The space(setbacks) between the homes will not change from the current duplex . Suggestions to the contrary are factually incorrect.
7. Suggestions that I would construct a "McMansion" is discourteous to me and my firm. We have gone to great lengths to design and construct homes that are architecturally appealing and diverse. Our reputation on design speaks for itself.
8. Our rights should not and do not conflict with one another. I would never want to step on her rights and I assume we would give me the same courtesy.

I welcome the input of the community that I live in and have gone to GREAT lengths to garner the input in a collaborative process. It's disheartening with our neighbors cannot voice their opinions without personal attacks, false assumptions and misleading statements. It's a sad reflection of our society.

James Landers

From: Elizabeth Abernethy [mailto:Elizabeth.Abernethy@stpete.org]
Sent: Tuesday, September 26, 2017 4:51 PM
To: 'j.landers0675@gmail.com' <j.landers0675@gmail.com>
Subject: FW: Redevelopment: 245-248 18th Ave. NE

FYI

Thanks!
--Liz

Elizabeth Abernethy

From: Thomas Burket <thomas.r.burket@gmail.com>
Sent: Tuesday, September 26, 2017 6:02 PM
To: Elizabeth Abernethy
Subject: 245/248 18th Ave NE

Mrs. Abernethy,

As the property owner at 127 26th Avenue N, I want to express my support of the re-development of 245/248 18th Ave NE. We love the growth and improvements our city has experienced over the last 10 years and hope that it will continue. The product that Aspen Venture Group builds is well designed and compliments our neighborhood.

We are in strong support of seeing a multi-family building removed and two beautiful single family homes built in its place.

Sincerely,

Thomas Burket

Elizabeth Abernethy

From: James Landers <james@aspenvg.com>
Sent: Tuesday, September 26, 2017 6:12 PM
To: 'Natalie DeVicente'
Cc: 'Robin Reed'; petermotz@aol.com; kimbyflies@yahoo.com; Elizabeth Abernethy; aldermanplanning@gmail.com; 'John Barie'
Subject: RE: 248 18th Ave. NE

Natalie,

Thanks for reaching out. From the onset, my objective was to garner as much input throughout the process. As mentioned, I have repeatedly attempted to contact you(as instructed by the group) in multiple emails/calls dating back 8 weeks with little to no response basically BEGGING for input from the neighbors!! I have been and I am available ANYTIME you want to meet. Set it up and I will be there!!

If you cannot set it up, let me know and I will assist anyway I can.

Thanks again.

James

From: Natalie DeVicente [mailto:natalie@southernrootsrealty.com]
Sent: Tuesday, September 26, 2017 2:35 PM
To: James Landers <james@aspenvg.com>
Cc: Robin Reed <rlreed@tampabay.rr.com>; petermotz@aol.com; kimbyflies@yahoo.com; Elizabeth Abernethy <Elizabeth.Abernethy@stpete.org>; aldermanplanning@gmail.com; John Barie <jpbarie.architect@gmail.com>
Subject: Re: 248 18th Ave. NE

James,

Thanks for your email. I had been traveling at the end of August through the beginning of September, only to return to a hurricane coming our way. Your timing in asking for another organized meeting could not have been worse, so I apologize for not touching base sooner, as I am the only organizer bringing neighbors together. Just as I initiated the discussion in the beginning with you, as neighbors, we appreciate our opinions being heard and want to work with you in what is best for our block.

After our initial meeting, not all our neighbors fully expressed their individual opinions until most recently when they received the letter for the Council meeting and had time to really review. As I did tell you before, many neighbors are not on board with what was presented, as we were told a max of 2500SF or less would be built there, and now the numbers have gone up. Also, the square footages you proposed are similar to other homes on the street, but all of those house are on 60'-80' wide lots, not 40' wide lots. The 40' wide lots have houses between 950 and 1650 SF. We all realize that this is not a profitable size from a new or redevelopment standpoint, but the neighbors did make it clear that we did not want two massive "towers" or "boxes" at our initial meeting either. They felt the designs did not have enough dimension and character for their size to properly fit in with the other homes on our block. That does not mean they are not on board with splitting the lots, as most of us agree that two homes are better than one massive home or a townhouse option, and certainly better than the property that is sitting there now.

Elizabeth Abernethy

From: James Landers <james@aspenvg.com>
Sent: Tuesday, September 26, 2017 7:57 PM
To: 'Tamera Boudreau'
Cc: 'Nancy Bahls'; 'Janet Strong'; gkujava@gmail.com; susanakujava@gmail.com; romer305@gmail.com; Elizabeth Abernethy; aldermanplanning@gmail.com
Subject: RE: 248 18th Ave, NE

Tamera,

Thanks for taking the time to reach out. I would certainly welcome the opportunity to meet with you.

For a bit of historical perspective on the efforts to date..... Before putting a single effort into the design and before acquiring the property, I requested a neighborhood meeting to garner the input and suggestions from all parties. I asked **Natalie to invite ANY AND ALL PARTIES that had ANY interest in the project**. To suggest this was some "pretend" effort is inaccurate, unnecessary and misleads as to the efforts made. A meeting occurred and it was highly productive. We reviewed 4 options for the parcel at the meeting

1. Keep the existing rental units
2. Develop a new 2 unit townhome project
3. Build 1 large Single Family home approximately 5000 SF
4. Build two smaller SF homes at or around 2500-2700 per

Of the 7 or so neighbors in attendance, every one of them requested we pursue option 4. It should be noted that this was NOT the most economical option from my perspective but I elected to forgo other options and puruse with THEY wanted.

At the conclusion of the meeting, I committed to pursuing the option that they wanted and to share with the neighbors our concept as soon as it was ready. On 7.15, I shared the plans with the neighbor designated to be in charge asking for input and a meeting. I received no response so I sent another email, and another and another over the course of 8 weeks. I called and left a voice mail reiterating my share the plans and get input. Unfortunately, despite my repeated efforts, my attempts to meet were ignored.

From my perspective, I have done everything humanly possible to get input and work in a collaborative process. However, collaboration is a two way street.

In response to your concerns.... Firstly, I appreciate you taking the time to list them.

1. The setbacks of our proposed homes are consistent with the neighbors and no different that any other home on the block.
2. The front setback variance was done AT THE REQUEST of zoning to MATCH the setbacks of the adjacent homes. This is one of the goals of zoning. My planner and I have prepared a study showing these setback and would gladly show them to you at our meeting.
3. I 100% completely agree that we should aim to maintain scale. Our proposal does exactly that and we welcome input on style, etc.
4. I am a 20+ year resident of Old North East. I have raised my family here and I am highly sensitive to development and input from neighbors. I take an extremely cooperative approach to all my developments and have had great success based on this approach. Assuming that is in professional and cordial, I welcome it here as well.
5. The removal of two units the replacement of two units will have zero impact on the sewer system. No more the impact you have at your home.

My cell is 727.409.7440. I live a couple blocks from you. Give me a call and I can meet anytime you want. I look forward to meeting you and the others on this email chain.

James Landers

From: [mailto:tamboudreau@gmail.com]
Sent: Tuesday, September 26, 2017 11:01 AM
To: james@aspenvg.com
Cc: Nancy Bahls <nancybahls@gmail.com>; Janet Strong <jesinstpete@gmail.com>; gkujava@gmail.com; susanakujava@gmail.com; Tammy Boudreau <tamboudreau@gmail.com>; romer305@gmail.com; elizabeth.abernethy@stpete.org
Subject: 248 18th Ave, NE

Hello Mr. Landers,

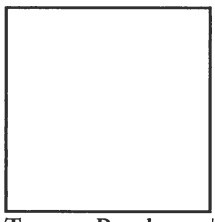
I am Tamera Boudreau. I live directly behind the proposed construction, and I will be directly impacted by any decision made with regard to this proposed construction. I disagree with your statement pretending an attempt to reach out to all neighbors concerned. You have never tried to contact me.

I oppose a variance on the grounds of noise (two families instead of one) suitability (this neighborhood has a special character which should be respected) and stress to the system (too much density for an already-stressed water, plumbing and ecological system). I understand that you threaten a humongous house, in order to fulfill your need for profit. While I think the construction of a new (single) house would be nice, any development should be to scale and within the existing footprint. I'd like you to respect the character of the neighborhood.

If you would like to meet with me to discuss the above, I'd be happy to talk to you. By copy of this letter I officially oppose the variance you request. Ms. Abernathy, I ask that you take my considerations and concerns into account. In advance, I thank you for your kind attention to this matter.

Sincerely,

Tamera Boudreau



Tamera Boudreau | Partner

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Elizabeth Abernethy

From: James Landers <james@aspenvg.com>
Sent: Tuesday, September 26, 2017 8:02 PM
To: 'Mick Callahan'; Elizabeth Abernethy
Subject: RE: 248/248 18th Ave, N.E

Mr. Callahan,

I appreciate you taking the time to reach out to us. Yes, I was hopeful and expecting Natalie to distribute the info and believe this would have helped the process. I am working hard now to respond to folks that were not kept in the loop, despite our efforts.

As far as the tree, yes, we have no issue with removing it. The pines are not the most stable and we will gladly handle.

Lastly, thanks for the non objection note to Liz. I 100% believe the new structures will be a significant enhancement to the street and will make every effort to produce a great product.

My cell is 727.409.7440 should you ever need to reach me.

James Landers

From: Mick Callahan [mailto:mick@mickcallahanlaw.com]
Sent: Tuesday, September 26, 2017 12:15 PM
To: james@aspenvg.com; Elizabeth.Abernethy@stpete.org
Subject: 248/248 18th Ave, N.E

Mr. Landers:

We reside at 255 18th Ave. N.E., the home and pool house structure to the immediate east of your proposed construction project. I read your note to Robin Reed as part of the materials distributed by Natalie DE Vicente today. I had previously sent her my comments regarding the project and I assumed, perhaps wrongly, that they had made their way to you.

We have no objection to the variance request for two home project as described in your note yesterday. The square footage, color, style, and roof materials, locations of the small swimming pools, and facades are of no particular concern to us either. I looked at the project on 7th Avenue and I believe that you did a good job in varying the styles, front facades and trim and making the most of the limited space available on the three structures built there. Any effort to satisfy our neighbors, Robin Reed, or others on the total square footage, style, color, etc.to conform to the character of the neighborhood is of course o.k. with us.

We do have one request. There is a very tall Norfolk Island pine between our home and the existing duplex which is leaning to the south considerably more after the hurricane and is a hazard to fall in the future. I would appreciate your removing it as part of the project. There were three of them along the property line, and two were cut by Mr. Sanders a couple of years ago.

Good luck with your project. Please feel free to call us if you have any further questions or comments.

Sincerely,

Mick and Inga Callahan

--

Michael T. Callahan, Attorney at Law
2935 1st Avenue North, Suite 2

Elizabeth Abernethy

From: Logan DeVicente <logand@outlook.com>
Sent: Tuesday, September 26, 2017 8:08 PM
To: Elizabeth Abernethy
Cc: Logan DeVicente
Subject: 248 18th Ave NE

Dear City Council,

My name is Logan DeVicente and I live at 229 18th Ave NE, right next to the property requesting to be split into two. I am against splitting up this property into two separate individual homes. I have multiple reasons for being against the split. I have grown up in the neighborhood and it's changes like this that are slowly and negatively impacting the life style of the area. There is a real neighborhood density issue across the neighborhood, and adding more homes can cause real problems. For example, look at the blocks closer to downtown with more 40ft lots that have real trouble with street parking. Even with garages, you can see how much of an issue these small lots cause for parking.

In addition, splitting up this lot into two and building large homes that take up the entire lot line does not match the character of the block/neighborhood.

Now my opposition is not against the developer personally, since I do not blame them for trying to push the limits and try to maximize their return. It's is the responsibility of neighbors/community to voice their concerns and bring to the attention of city council an issue like this. Please carefully think about how you granting these exceptions have long term repercussions on the neighbors and neighborhood.

Thank you for your consideration.

Sincerely,

-Logan DeVicente

Sent from my iPhone

Elizabeth Abernethy

From: Julia McGinty <juliamcg1010@yahoo.com>
Sent: Tuesday, September 26, 2017 9:21 PM
To: James Landers; Elizabeth Abernethy; 'Dillon Alderman'; natalie@southernrootsrealty.com; Robin Reed; Tamera Boudreau
Subject: Re: Redevelopment: 245-248 18th Ave. NE

Wow.

It's unfortunate that Mr. Landers took my comments so personally. As he correctly pointed out, I have never met him. Given that, I hope it's understood that my comments are general in nature and applicable to the "process" of neighborhood redevelopment.

I'm glad that he's enjoyed the neighborhood for 22 years. It's been a wonderful place to live and I'm fairly certain that at some point in the past 15 years we've likely crossed paths as I'm a pretty regular "walker" with a Lab on a leash. Given his tenure here, I feel certain that he has seen the significant changes that have occurred in the neighborhood. We clearly have different opinions about the quality and character of those changes. It seems we will need to respectfully disagree with one another.

He's also correct that I did not attend the meeting that he refers to in point #2. He seems to imply that I willfully didn't attend. That's not correct. I was unaware of a meeting and not invited. Had I been included I would certainly have attended. I assume that I was not on the invite list because my home is not directly adjacent to the property in question. I am, however, within the perimeter that requires the city to send me a letter soliciting feedback on the request for a variance.

From talking with neighbors on that block, my understanding - admittedly second hand - is that many neighbors did object to what many of us view as over-development. They agreed that two houses would be better than one monster house not because they believe that's a good or best solution but rather as the lesser of two evils. Clearly I'm NOT speaking for everyone on the block but simply reflecting the opinions of those neighbors who have shared their views with me.

As to Mr. Landers motives in buying the property and seeking to develop it, it's a bit disingenuous to suggest that his motive is anything other than profit. That's his business and, frankly, perfectly understandable. That's what businesses do. And while I cannot state unequivocally that his percentage of profit is tied directly to the square footage of the buildings that he puts up, I'm willing to suggest that's the case. Hence his desire to significantly increases the square footage on the property in question. Again, understandable from his perspective as a businessman but not really in the best interests of the folks surrounding the property.

I'm certainly willing to take him at his word that the setbacks will remain the same. But within those setbacks I suspect that there will be significantly more square footage than there is currently or than there is on average for each home on the block. That typically creates a rather "looming" and large presence that changes the "feel" of the block. Not dissimilar to the large house on the north side of 16th Ave between 1st and Bay.

Mr. Landers was clearly offended by my use of the term McMansion. My intent was not to denigrate the quality or style of the houses that he and his firm build. In truth, I cannot claim to have seen any of his work so I'm not in a position to speak to that. In fact, I'll concede that he builds a quality product. My definition of McMansion is simply a large house that doesn't seem in keeping with the other homes on the block and that changes the character and feel of the block...and that character and "feel" were a big part of why we all moved here in the first place. From the designs that I viewed I will stick with my conclusion that the houses he would like to build really don't "fit" with those currently on the block but I recognize that that is simply my opinion. But then I believe that's why I received the letter from the City regarding the request for variance.

My letter was not intended as a personal attack on Mr. Landers and I don't believe that it reads that way. Still, it's rarely my intention to offend and I'm sorry that he took my comments that way. My assumptions were made in a logical way and based on the limited "facts" in my possession regarding the specifics of his plans and my own observations of specific lots within Old NE that have been redeveloped in similar fashion. I'd like to think that the fact that I care enough about my neighborhood to take the time to write my initial - and I hope thoughtful - email and to respond to his email is a positive reflection of our society today and the level of involvement by everyday citizens. My hope is that we can disagree with one another regarding issues without condemning one another as individuals.

Regards,

Julia

On Tuesday, September 26, 2017 5:54 PM, James Landers <j.landers0675@gmail.com> wrote:

Elizabeth Abernethy

From: James Landers <j.landers0675@gmail.com>
Sent: Tuesday, September 26, 2017 9:58 PM
To: 'Julia McGinty'; Elizabeth Abernethy; 'Dillon Alderman'; natalie@southernrootsrealty.com; 'Robin Reed'; 'Tamera Boudreau'
Subject: RE: Redevelopment: 245-248 18th Ave. NE

Mrs. McGinty,

My cell is 727.409.7440. If at any point you ever want to discuss any component of this project, I welcome your input and really wish you were brought into the process earlier. It is obvious it would have helped. In my 20 years of development, my best work always comes when seeking a diverse opinion on style, scale and design rather than plugging along with zero input. It's not who I am and not what I do.

Yes, I did take offense to some of the general terms used and welcome the dialogue as neighbors interested in a common goal. I never claim to know everything and constantly seek the input of others. I am very passionate about my work and the impact it has on the community we both enjoy. This energy leads to spirited defenses sometimes. I hope you understand.

The source of the confusion(and distrust) appears to be the meeting and subsequent follow up to that meeting and now understand some of the source of frustration. From my side, I specifically asked that Natalie reach out to any and all neighbors interested in the project and was led to believe that the neighbors I met represented the group. I assume this occurred and I was further told that the images, plans, etc and (dating back to 7.15.17) were being forwarded to the group. Frankly, I was dismayed that my multiple emails requesting input on the plans were ignored. I am sure this was an unintentional oversight rooted in the schedule demands.

As a developer, profit is a requirement for work but it is not my only motive. If profit were my core motive, I would have simply pursued a single family home under the old LDR. It would have allowed a home over 5000 SF with no neighborhood input whatsoever. For the same reasons you would not support it, I elected in good faith not to pursue this plan as I believed it would not be the "right thing to do" for that street or ONE in general.

Let's figure out a way of moving forward. Give me a call and let's get together to discuss what can be done to address some of the concerns. I am here to listen.

Lastly, I would love to show you some of the homes I have done in the area. Let me know if you ever want to tour.

Regards,

James

From: Julia McGinty [mailto:juliamcg1010@yahoo.com]
Sent: Tuesday, September 26, 2017 9:21 PM
To: James Landers <j.landers0675@gmail.com>; 'Elizabeth Abernethy' <Elizabeth.Abernethy@stpete.org>; 'Dillon Alderman' <aldermanplanning@gmail.com>; natalie@southernrootsrealty.com; Robin Reed <rl.reed@verizon.net>; Tamera Boudreau <tamboudreau@gmail.com>
Subject: Re: Redevelopment: 245-248 18th Ave. NE

Wow.

Elizabeth Abernethy

From: James Landers <james@aspenvg.com>
Sent: Wednesday, September 27, 2017 6:27 AM
To: Elizabeth Abernethy
Cc: 'Dillon Alderman'
Subject: FW: Variance on 28th Ave. N

Elizabeth,

I was forwarded this from one of the neighbors on the street. It appears it was routed to me rather than you.

From: Bob Torris [mailto:Bob.Torris@RaymondJames.com]
Sent: Tuesday, September 26, 2017 10:18 AM
To: James@Aspenvg.com
Subject: Variance on 28th Ave. N

Dear City of St Petersburg,

My name is Robert Torris and I live at 1400 28th Ave. N. I have lived here at this address for over 25 years. I received a notice of a request for variance on property a few houses down from me. I can see this property out my windows. I was very happy to hear that the property was going to be developed. It has been an eyesore for the last 25 years. I was even more pleased to find the developer was James at Aspen. I have toured other houses he has built in the neighborhood, and liked the style and quality of the houses. Please grant this variance and let this project move forward. You are free to contact me at the phone number below if you need anything further or to verify.

Thank you for your time.

Robert V. Torris
Financial Advisor

Raymond James Financial Services, Inc.
Member FINRA/SIPC
700 Central Avenue, Suite 205
St Petersburg, Florida 33701
727 329-1908 x206
727 329-1917 Fax

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Elizabeth Abernethy

From: Jeff Kula <jekula@mac.com>
Sent: Wednesday, September 27, 2017 9:05 AM
To: Elizabeth Abernethy; Nathan@Parkpropertygroup.com
Subject: 245/248 18th Ave NE

Dear Mrs. Abernethy,

As the property owner at 136 16th Ave NE & 151 17th Ave N, I wanted to share with you my support of the re-development of 245/248 18th Ave NE. We love to see the Old NE grow and bring new families to our neighborhood as well as keeping the charm of the Old Northeast single family homes. The product that Aspen Venture Group builds is creative, appealing and fits very well into the existing homes of the neighborhood.
We are in strong support of seeing a multi-family building removed and 2 beautiful single family homes built in its place.

Sincerely,

Jeff Kula 136 16th ave NE & 151 17th ave N.
St. Pete, FL

Elizabeth Abernethy

From: Janet <jesinstpete@gmail.com>
Sent: Wednesday, September 27, 2017 9:12 AM
To: Elizabeth Abernethy
Subject: Re: 248 18th Ave, NE

Ms Abernathy,

I did not hear back from you yesterday on my email. Please confirm that my email will be included in your staff report to the DRC (I sent to you within the required timeframe). Please also send me the final staff report.

Kind regards,
Janet

On Tue, Sep 26, 2017 at 11:30 AM, Janet <jesinstpete@gmail.com> wrote:
Ms. Abernathy,

I live at 256 19th AV NE, next to Tamera Boudreau. Please accept this email as my official opposition to the variances being requested for 243-245 18th AVE NE. Other than the notice from the city that I received in the mail, no one (to include Mr. Landers) has tried to contact me regarding this matter. Also, please note that I believe Tamera stated the wrong address for this property; the correct address (I believe) is 243-245 18th AVE NE.

I oppose the variances for the same reasons that Tamera stated in her email. I am a St. Petersburg native and have lived in the Old Northeast for the last 28 years. It is a wonderful neighborhood and I am concerned about what is happening to it due to the city continually giving variances to people who are just looking to profit. If this variance is given it will result in noise, homes that don't fit with the unique character of the neighborhood, and stress on our already overloaded infrastructure. In addition, I believe that variances such as these tend to result in home values dropping.

I would be happy to discuss this matter with you or anyone. Thank you for your consideration.

Sincerely,
Janet Strong
256 19th AV NE
St. Petersburg, FL 33704
727 510 9602

On Tue, Sep 26, 2017 at 11:00 AM, Tamera Boudreau <tamboudreau@gmail.com> wrote:
Hello Mr. Landers,

I am Tamera Boudreau. I live directly behind the proposed construction, and I will be directly impacted by any decision made with regard to this proposed construction. I disagree with your statement pretending an attempt to reach out to all neighbors concerned. You have never tried to contact me.

I oppose a variance on the grounds of noise (two families instead of one) suitability (this neighborhood has a special character which should be respected) and stress to the system (too much density for an already-stressed water, plumbing and ecological system). I understand that you threaten a humongous house, in order to fulfill your need for profit. While I think the

Elizabeth Abernethy

From: John Oakes <oakesj@gmail.com>
Sent: Wednesday, September 27, 2017 9:26 AM
To: Elizabeth Abernethy
Subject: 245 18th Ave NE

Hi Elizabeth,

My wife and I are long-term residents of Historic Old Northeast. I support the development of non-historic rental units into single family homes. The current duplex doesn't add to the character of the community. Please offer my support for the approval of this project.

Best regards,

John Oakes
727-403-1798

st.petersburg
www.stpete.org

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

DEVELOPMENT REVIEW COMMISSION
STAFF REPORT

SPECIAL EXCEPTION
SITE PLAN MODIFICATION
PUBLIC HEARING

According to Planning & Economic Development Department records, **no Commission member** 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **October 4, 2017, at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.:	17-31000006	PLAT SHEET:	H-5
REQUEST:	Approval of a Site Plan Modification for a previously approved Special Exception to construct a covered walkway and surface parking lot. The applicant is requesting a Variance to setbacks.		
OWNER:	R'Club Child Care, Inc. 4140 49th Street N. Saint Petersburg, Florida 33709		
AGENT:	Shaun Amarnani 200 Central Avenue, Suite 1600 Saint Petersburg, Florida 33701		
REGISTERED: OPPONENT	Lauren Rubenstein 2700 First Avenue North Saint Petersburg, Florida 33713		
ADDRESS:	920 & 950 19th Street South		
PARCEL ID NO.:	25-31-16-20232-002-0310 25-31-16-20232-002-0290		
LEGAL DESCRIPTION:	On File		
ZONING:	Neighborhood Traditional-1 (NT-1)		

SITE AREA TOTAL:	48,230 square feet or 1.11 acres	
GROSS FLOOR AREA:		
Existing:	18,055 square feet	0.37 F.A.R.
Proposed:	18,055 square feet	0.37 F.A.R.
Permitted:	23,520 square feet	0.50 F.A.R.
BUILDING COVERAGE:		
Existing:	18,055 square feet	37% of Site MOL
Proposed:	18,055 square feet	37% of Site MOL
Permitted:	23,520 square feet	50% of Site MOL
IMPERVIOUS SURFACE:		
Existing:	23,327 square feet	45% of Site MOL
Proposed:	26,009 square feet	55% of Site MOL
Permitted:	30,576 square feet	65% of Site MOL
OPEN GREEN SPACE:		
Existing:	23,711 square feet	50% of Site MOL
Proposed:	21,032 square feet	45% of Site MOL
PAVING COVERAGE:		
Existing:	11,397 square feet	24% of Site MOL
Proposed:	15,220 square feet	33% of Site MOL
PARKING:		
Existing:	4; including 1 handicapped spaces	
Proposed:	16; including 1 handicapped spaces	
Required	4; including 1 handicapped spaces	
BUILDING HEIGHT:		
Existing:	22 feet	
Proposed:	22 feet	
Permitted:	36 feet	

APPLICATION REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant met and complied with the procedural requirements of Section 16.10.020.1 of City Code for a Child Care use which is a grandfathered use within the NT-1 zoning district and section 16.07.040.1.H for a modification to a previously approved Special Exception.

II. DISCUSSION AND RECOMMENDATIONS:

Background:

The subject property is located in the Melrose Mercy Neighborhood at the southeast corner of 19th Street South and 9th Avenue South and is in the Neighborhood Traditional Single Family (NT-1) zoning district. The subject property is developed with five (5) single-story buildings and has a lot area of 48,230 square feet.

The Request:
The applicant seeks approval of a site plan modification to install a covered walkway located west of the subject property and to demolish an existing single-family residence (950 19th St. S) to allow construction of a surface parking lot. The request is being made by the applicant with the intent to protect the parents, children and staff from the elements when walking from building to building and to provide on-site parking. The surface parking lot, with 16 parking spaces, will be constructed on the south side of the subject site.

Background:
A child care facility has been operating at the subject property since 1945 and a child care facility is considered to be a grandfathered use under the current code.

In 1979, an application was filed for a Special Exception (SE-437) for the construction of a 5,750 square-foot building for the expansion of the child care facility. At that time, the property was zoned RM-10, and a child care facility was allowed as a Special Exception use in the RM-10 zoning district. The application was reviewed and approved by the Environmental Development Commission. In 1998, the site was designated as a local historic landmark, HPC File No. 98-04, see attached.

In 2002, an application for a modification to the Special Exception (SR-02-049) was filed for a proposed expansion of the existing day care. The expansion consisted of a 6,000 square feet in building area distributed on the subject property and to an adjacent property across the alley to the each fronting 18th Street South. The application was approved, however, due to budget constraints the applicant never moved forward with this project. The parcels on the east side of the alley are no longer under common ownership with the child care facility. During the review process for this application the City Engineering Department expressed objections to the project since the day care was utilizing street parking for the child care use. Copies of these files are attached to this report.

An application was filed for another modification in 2009 for an expansion of the child care center. The application was subsequently withdrawn by the applicant.

Subsequent to the submission of the application on July 28, 2017, the property was conveyed from Happy Workers Learning Center to R'Club Child Care, see attached property deed.

Based on staff's inspection of the site, the fence on the southerly most portion of the site appears to be located within the platted alley abutting on the east. Staff is recommending a special condition of approval to require the fence to be relocated.

Current Proposal:
The proposal is for the installation of a covered walkway to be installed on the west portion of the subject property, see attached site plans and elevations. The proposed covered walkway will protect children, parents and staff from the elements when walking outside from building to building. The proposed walkway will connect the main entrances of the four buildings, which all face 19th Street South.

The proposal also includes the addition of a parking lot with 16 proposed surface parking spaces on the south side of the subject property. In addition, the applicant is modifying the on-street parking along 19th Street South to satisfy the City Engineering department comments in relation to the non-conforming 90 degree parking, which encroaches onto the public sidewalk.

Because the church building was designated as a local historic landmark, a Certificate of Appropriateness (COA) is required for the covered walkway. The applicant has received approval of a COA through the Urban Planning and Historic Preservation Division on July 31, 2017. A copy of the COA is attached to this report and the covered walkway design is consistent with the COA.

Variance:
The proposal will require a variance to the required front yard setback set forth by Section 16.20.010.6 of City Code. The applicant is proposing to build the covered walkway four feet from the front property line. The required front yard setback for a Special Exception requirement in the NT-1 zoning district is 35 feet on all yards. The variance request will be for a 31-foot encroachment into the required front yard.

The proposed covered walkway will be installed at the front of the existing buildings facing 19th Street South where the principal entrances are located. The existing buildings were built 12 feet from the front property line and do not meet the required front yard setback. According to the applicant, the proposed location of the covered walkway is the only practical location for a walkway on the subject property since the intent is to protect the children, parents and staff from the elements when walking from building to building.

Public Comments:
A representative for a property owner to the east of the subject site has registered as an opponent.

III. RECOMMENDATION:

A. Staff recommends APPROVAL of the Modification to a previously approved Special Exception and related site plan, subject to the Special Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:

1. **This Special Exception/Site Plan approval shall be valid through October 4, 2020. Substantial construction shall commence 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.**
2. **Prior to completion of the covered walkway, the existing perpendicular parking in the right-of-way shall be removed and replaced with parallel parking spaces in the public right-of-way subject to review, approval and permitting from the City Engineering Department.**
3. **The proposed parking lot shall comply with development standards set forth by Section 16.40.090.3.4 and landscaping requirements set forth by Section 16.40.060.2.1.3 of City Code.**
4. **Plans submitted for permitting shall be consistent with the approved plans and any modification to the design shall require review and approval by the Urban Planning & Historic Preservation Division.**
5. **Prior to the issuance of any building permit for the proposed project, the applicant shall relocate the fence to be completely within private property.**

C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
2. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.
3. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.
2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.
3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. RESPONSES TO RELEVANT CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

Staff finds that the proposed project is consistent with the Comprehensive Plan policies and objectives.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

The Future Land Use classification is Planned Redevelopment Residential, and Neighborhood Traditional Single-Family zoning allows child care facility as a Special Exception use.

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

The proposed parking lot, located south of the adjacent child care facility, has been reviewed by the City Transportation department, whom have no objections, (see attached email from City Transportation department).

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

The proposed parking lot has been reviewed by the City Engineering department and has no objections (see attached email from City Engineering department).

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

The proposal will not generate additional traffic.

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

The proposed parking lot will be required to meet the City drainage requirements at the time of permitting, see attached memo dated September 1, 2017 from City Engineering Department.

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

The proposed parking lot shall comply with Section 16.40.070 of City Code for external lighting abutting residential properties. Signs will require separate review and approval.

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

The proposed project will not generate any potential impact to surrounding properties since the walkway will be facing 19th Street South. However, the proposed parking lot located south of the subject site shall comply with Section 16.40.060 of City Code.

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

The subject site is been deemed historic by the City Historic Preservation department identified as: Trinity Presbyterian Church/Happy Worker's Day Nursery. The applicant has obtained a Certificate of Appropriateness from the City Historic Preservation department for the proposed covered walkway, which will be affixed to the four existing buildings.

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

The four existing buildings on the subject property are compatible to surrounding single-family homes within the vicinity in design. The four buildings, including the church building, have single gable roof structures, similar to the surrounding single-family homes, which are compatible in design. The proposed covered walkway will incorporate design elements to resemble a roof gable for design compatibility. Therefore, no impacts on property values in the neighborhood are foreseen.

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

The proposed covered walkway will not have any impacts on similar or same uses and structure. Therefore, this section does not apply.

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

The proposal will not have effects on noise, dust, fumes and other nuisance. Should the applicant wish to add lighting to the covered walkway, it shall comply with Section 16.40.070 of City Code.

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

The subject site has adequate land area for the proposed covered walkway, which will facing 19th Street South. No expansion of buildings are being proposed for this project.

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

The proposed parking lot to the south of the subject site shall comply the Landscaping requirements set forth by City Code.

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).
2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

The proposed improvements do not impact demand for hurricane facilities.

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:

a. Water.
b. Sewer (Under normal operating conditions).
c. Sanitation.
d. Parks and recreation.
e. Drainage.

The existing land use of the subject property is: **Child Care Facility**

The existing land uses of the surrounding properties are:

North: **Residential**

South: **Residential**

East **Residential**

West: **Residential**

REPORT PREPARED BY:

CRISTIAN I. ARIAS, Planner I — DATE 9/27/17

REPORT APPROVED BY:

ELIZABETH ABERNETHY, AICP, Zoning Official (POD) — DATE 9-27-17
Planning and Economic Development
Development Review Services Division

Attachments: Location map, site plans, elevations, applicant's narrative, Engineering Department memo dated September 1, 2017, Transportation Department Correspondence, Special Exception reports (SE-437) (SE-02-049), Copy of Certificate of Appropriateness, Property Deed.

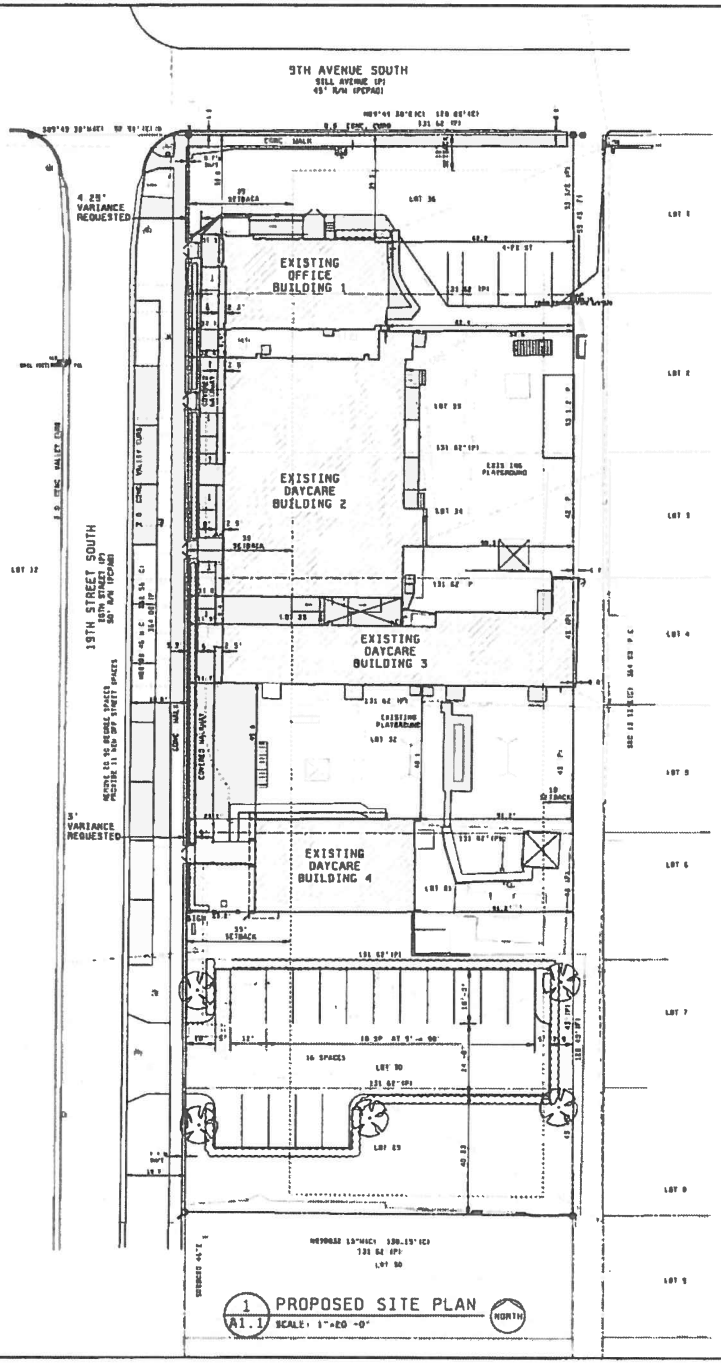
st.petersburg
www.stpete.org

City of St. Petersburg, Florida
Development Review Services
Case No.: 17-31000006
Address: 920 19th Street South

N

(nts)

EXHIBIT A



1 A1.1 PROPOSED SITE PLAN
SCALE: 1"=20'-0"
NORTH

LEGAL DESCRIPTION:
LOTS 29-36, BLOCK 2, DALY-S REVISED SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 27, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

ZONING
NT-1 NEIGHBORHOOD TRADITIONAL

Jovanovic & Lyons, LLC
Architectural Planning & Design
www.jovanovicllyons.com
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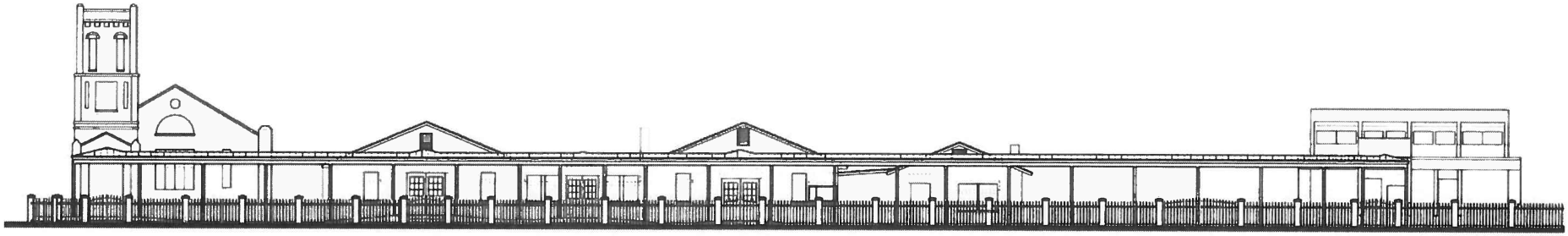
ALTERATION FOR
HAPPY WORKERS/"R" CLUB
920 19TH. STREET .S
ST. PETERSBURG, FLORIDA

Revisions:

PROPOSED SITE PLAN

Project Number 17025
Date 9-7-17
Sheet Number A1.1

1 A3.1 EXISTING WEST ELEVATION
SCALE: 1/8"=1'-0"



2 A3.1 PROPOSED WEST ELEVATION
SCALE: 1/8"=1'-0"

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www.jovanoviclyons.com

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ALTERATION FOR
HAPPY WORKERS/"R" CLUB
920 19TH STREET S
ST. PETERSBURG, FLORIDA

Revisions:

EXTERIOR ELEVATIONS

Project Number
17025

Date
5-26-17

Sheet Number
A2.1

Narrative for Variance
R-Club

Variance to 35 foot setback requirement of NT-1 zoning child care special exception use to allow a 3 foot setback for a covered walkway.

Happy Workers Learning Center, an R'Club Early Learning Academy ("Applicant"), is located at 920 19th St. S., St. Petersburg, FL 33701 ("Subject Property"). The Subject Property has four buildings on it. One building, a former church, was locally designated as a historic landmark on a date in October, 1998. Applicant received prior approval for a special exception with related site plan for the expansion of a day care center that was approved on/or about November 6, 2002. The four buildings are currently used for day care related services.

Applicant desires to build a covered walkway to connect all four buildings on the Subject Property to primarily serve the children and parents of children who attend day care and educational programming on the Subject Property. Applicant specifically designed the covered walkway with the goal to be consistent with the historic design guidelines. The proposed

design of the covered walkway received a COA from Urban Planning and Historic Preservation staff for the construction of the walkway on July 31st, 2017.

As a requirement of the Subject Property's NT-1 zoning category, because the Applicants improvements vary from the originally approved 2002 special exception site plan, Applicant is required to submit a new special exception application, along with a new site plan depicting the improvements. Additionally, because the proposed walkway is within the 35 foot setback, it does not comply with the 35 foot setback requirement for child care special exception use under NT-1 zoning. Thus, Applicant is seeking a variance to the 35 foot setback requirement of NT-1 zoning child care special exception use to allow for a 3 foot setback for a covered walkway, as depicted in the attached site plan (Exhibit "A").

In support of the variance request, Applicant is providing responses to the hardship variance criteria contained in Section 16.70.040.1.6 of the Land Development Regulations. These responses warrant granting the variance.

Variance Review Criteria

1. What is unique about the size, topography, or location of the subject properties? How do these unique characteristics justify the requested variance?

The proposed location of the covered walkway is the only practical location for a walkway on the Subject Property. It would be prohibitively expensive and unpractical to add covered walkways on any other part of the site. This would require building new entrances to existing buildings, demolishing existing buildings, and removing playground space.

Additionally, the Subject Property is unique because it contains a historically landmarked building within the 35 foot setback that was constructed before the NT-1 zoning as in place. The historically landmarked building cannot be demolished, and therefore the covered walkway cannot be moved to meet the setback requirement.

2. ***Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a***

description of the specific structures being referenced.

It appears that the portion of 19th Street between 12th Ave S and 9th Ave S does not have a consistent neighborhood pattern of setbacks. There are other structures on 19th Street that protrude into the 35 foot setback. Additionally, the Subject Property already has a green fence that encroaches into the 35 foot setback.

There are not many examples of large day care complexes in this neighborhood that have the NT-1 zoning. The rezoning of this type of large day care facility into an NT-1 zoning category is unique.

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

The NT-1 zoning category was created in 2008. The applicant owned the property well before 2008 as evidenced by the Subject Property's 2002 special exception approval.

Moreover, the 35 foot setback requirement that does not take into consideration the requirement on the Applicant to preserve a local designated historic landmark.

4. How is the requested variance the minimum necessary to make reasonable use of the property?

As stated previously, the walkway is only feasible in its current proposed location. It would be prohibitively expensive and unpractical to add covered walkways on any other part of the site, which would require building new entrances to existing buildings, demolishing existing buildings, and removing playground space.

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

Based upon the existing conditions stated above, there are no other alternatives to be considered.

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

- The granting of this variance will give children, parents, and employees who use the facilities additional protection from the elements.

- The walkway and decorative fence will be a historically designed improvement compared to the green chain-link fence that is currently at the front of the site.
- The covered walkway will enhance the usability of the Subject Property, which will help the center to continue to be a resource that enhances the community.

MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services Department

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: September 1, 2017

SUBJECT: Site Plan Review – Happy Workers Learning Center Daycare

FILE: 17-31000006

LOCATION: 920 19th Street South
PIN: 25/31/16/20232/002/0310
ATLAS: H-5
PROJECT: Construct a covered walkway and surface parking lot
REQUEST: Approval of a Site Plan Modification for a previously approved Special Exception to construct a covered walkway and surface parking lot. The applicant is requesting a Variance to setbacks.

SPECIAL CONDITIONS OF APPROVAL:

1. The construction proposed on this site appears to trigger compliance with the City Drainage and Surface Water Management Ordinance. Redevelopment shall be in compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. A professional engineer licensed in the State of Florida must provide a signed and sealed drainage design and drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1 hour design storm.

2. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Within the NT zoning district minimum 4-foot wide public sidewalks are required within the parkway along all street right of way frontages. Sidewalks which abut the road curb must be a minimum of 6-feet wide.

3. All existing public sidewalks which meet the width requirements of the City's Code may remain provided they are reconstructed as necessary to good and safe ADA compliant condition prior to Certificate of Occupancy. It is noted on google maps that many broken areas of sidewalk exist around the perimeter of the site which must be replaced by and at the sole expense of the applicant as a condition of redevelopment on this site.

4. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and

truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed driveways per current ADA requirements. Concrete sidewalks must be continuous through all driveway approaches.

5. Redundant driveway approaches and pavement surfaces (not associated with approved driveway approaches or approved parallel parking spaces) which exist within the right of way must be removed upon redevelopment and the public right of way restored with appropriate grading and sod. *Entrance and exit driveways to the site need to be defined with the construction of standard commercial driveway aprons which meet City Engineering Standard detail S20-21. All other pavement surfaces existing within the right of way must be removed. You may email the City Engineering clerk at Marth.Heggenbarth@stpete.org to obtain copies of referenced City Engineering standard details.

6. The paved area along 19th Street parkway appears to currently be used for 90 degree parking. The City Land Development Regulation 16.40.090.3.4(B)(2)(a), requires all commercial parking areas to be designed to allow vehicles to enter and exit the street in a forward motion. Parking spaces which require a vehicle to back into the public right of way are not permitted.

7. If it is the intent to use paved surfaces which exist in the eastern parkway of 19th Street South for parallel parking, the area must be modified to meet the requirements of City Engineering Standard Detail S20-3. Please review this detail as it requires the construction of vertical curbs with 6" curb reveal around the edge of the parking spaces and to install this curb will require reconstruction of the public sidewalk to elevate it so the surface of the sidewalk meets the top of the perimeter curb around the parking spaces. You may email the City Engineering clerk at Marth.Heggenbarth@stpete.org to obtain copies of referenced City Engineering standard details.

8. Parallel parking and driveway approaches must meet the visibility requirements of City Code Section 16.40.160 such that clear visibility is provided for safe traffic through adjacent street intersection. At street intersections: beginning at the point where the curb or pavement edge meets at the corner, or in the case of rounded corners the point at which they would meet without such rounding, thence forty five (45) feet from that point along the curb or pavement edge, thence diagonally to a point along the curb or pavement edge of the intersecting street forty five (45) feet from the point of beginning, and thence to the point of beginning.

9. Gates in proposed or existing fences which exist at the property line along public right of way must be designed to swing in to private property rather than swing out into the public right of way and blocking the public sidewalk.

10. All required improvements within the public right of way shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

STANDARD COMMENTS:

Water service is available to the site. The applicant's Engineer shall coordinate potable water and /or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). **If an increase in flow of over 1000 gpd is proposed**, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City's Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right-of-way or easement.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering

director.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer's responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

NED/MJR/mh

pc: Kelly Donnelly
Reading File
Correspondence File
SUBDIV FILE: FLORIDA RIVIERA PLAT 6

Pamela Jones

From: Thomas M Whalen
Sent: Friday, September 01, 2017 2:29 PM
To: Pamela Jones
Cc: Corey D. Malyszka; Michael J. Frederick; Kyle Simpson
Subject: RE: Comments due 9/1 - 17-31000006 - 920 19th St S

The Transportation and Parking Management Department has reviewed this case and has no objection to the covered walkway and surface parking lot. If the applicant could provide more spaces in the new southern parking lot they would come closer to meeting the off-street parking requirement, if it is technically feasible and allowed under our code to use this space for parking. The plan to install parallel parking on 19th Street South is an improvement over the current situation, in which motorists park on the sidewalk and back out onto the street. The applicant is aware that this on-street parking will be available to the general public.

Tom Whalen, AICP CTP
Planner III, Transportation and Parking Management
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
727-893-7883 / Fax: 727-551-3326
Tom.Whalen@stpete.org

From: Pamela Jones
Sent: Monday, August 14, 2017 4:49 PM
To: Alfred Wendler; Bruce E. Grimes; Jill S. Wells; Kelly A. Donnelly; Kirsten J. Corcoran; Kyle Simpson; Mark Riedmueller; Martha Hegenbarth; Michael J. Frederick; Nancy Davis; Richard F Kowalczyk; Thomas M Whalen
Cc: Corey D. Malyszka
Subject: Comments due 9/1 - 17-31000006 - 920 19th St S

Good afternoon,
Would you all please review the attached and return your comments to me by September 1st. The applicant is seeking approval of a Site Plan Modification for a previously approved Special Exception to construct a covered walkway and surface parking lot. The applicant is requesting a variance to setbacks.

Thank you,

Pamela Jones
Administrative Clerk, Development Review Services
City of St. Petersburg
One 4th Street North, PO Box 2842
St. Petersburg, FL 33731-2842
Office (727) 892-5498/Fax (727) 892-5557
Pamela.Jones@stpete.org

Cristian I. Arias

From: Corey D. Malyszka
Sent: Thursday, September 14, 2017 9:02 AM
To: Cristian I. Arias
Subject: FW: Comments due 9/1 - 17-31000006 - 920 19th St S

From: Thomas M Whalen
Sent: Friday, September 01, 2017 2:29 PM
To: Pamela Jones <Pamela.Jones@stpete.org>
Cc: Corey D. Malyszka <Corey.Malyszka@stpete.org>; Michael J. Frederick <Michael.Frederick@stpete.org>; Kyle Simpson <Kyle.Simpson@stpete.org>
Subject: RE: Comments due 9/1 - 17-31000006 - 920 19th St S

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727-893-7883 / Fax: 727-551-3326
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Administrative Clerk, Development Review Services
City of St. Petersburg
One 4th Street North, PO Box 2842
St. Petersburg, FL 33731-2842
Office (727) 892-5498/Fax (727) 892-5557

February 16, 1979
Item 2

According to Planning Division records, no member 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.

TO THE ENVIRONMENTAL DEVELOPMENT COMMISSION FROM ZONING AND SUBDIVISIONS DIVISION OF PLANNING, For Executive Action on February 21, 1979, 2:00 P.M., Council Chambers, Municipal Building, 175 Fifth Street North, St. Petersburg, Florida

STAFF REPORT: SE-437 (H-5)

APPLICANT: Fannie Voolious

LOCATION: Daly's Revised Subdivision, Block 2
Lots 31, 32, 33, 34, 35 and 36.
942-19th Street So.

ZONE: RM-10

REQUEST; Approval of a Special Exception and related site plan for a 5,750 sq. ft. addition to a Children's Day Care Center (including a school not having academic curriculum) expanding over an abutting 5,660 sq. ft. lot, .842 acres m.o.l.

SITE DATA:

Zone:	RM-10	
Use:	Children's Day Care Center and School not having academic curriculum	
Site Area:	36,696 sq. ft.	.842 Acres m.o.l.
Existing Bldg. Coverage:	10,875 sq. ft.	29.6% of Site m.o.l.
Proposed Addition:	5,750 sq. ft.	15.6% of Site m.o.l.
Total Bldg. Coverage:	16,625 sq. ft.	45.3% of Site m.o.l.
Open Green Space: Existing:	21,322 sq. ft.	58.1% of Site m.o.l.
Proposed:	15,512 sq. ft.	42.2% of Site m.o.l.
Existing Paving Coverage:	4,050 sq. ft.	11.0% of Site m.o.l.
Proposed Paving Coverage:	4,050 sq. ft.	11.0% of Site m.o.l.
Parking Spaces:	Required: Determined by E.D.C.	Existing: 8 m.o.l.
Building Height:	Permitted 35 Ft.	Proposed: One Story

SPECIAL EXCEPTION REVIEW:

I. PROCEDURAL REQUIREMENTS:

The applicant has met and complied with the procedural requirements of the Zoning Code Section 64.23 for a Children's Day Care Center and school not having academic curriculum.

II. DISCUSSION AND RECOMMENDATIONS:

The existing use of the property at the southeast corner of 9th Ave. S. and 19th St. S. is a Children's Day Care Center and school, not having academic curriculum called "The Friends of Happy Workers, Inc." The first structure was built in 1920. The organization wants to expand over an abutting lot, developed presently with a residence which will be razed. The lot is zoned RM-10.

The proposed structure will consist of an assembly area, storage, and offices.

With due respect to the neighbors most affected by this addition, the staff holds its recommendation until response from the neighborhood is obtained.

III. THE SPECIAL EXCEPTION HAS BEEN REVIEWED FOR THE FOLLOWING CRITERIA:

A. COMPATIBILITY OF THE USE WITH THE NATURAL ENVIRONMENT, NEIGHBORHOOD PROPERTIES AND THE COMPREHENSIVE PLAN:

According to the plan, the property has a comprehensive land use of Public/Semi Public.

Northwest: Residential medium density

East, West, South (includes Lot 31) - Residential low medium density

North: Public/Semi Public

B. SUBSTANTIAL DETRIMENTAL EFFECTS ON NEIGHBORHOOD PROPERTY VALUES:

The neighborhood is made up of small older homes. The addition to the existing Children's Day Care Center and school could be detrimental to the neighborhood property values.

C. SUBSTANTIAL DETRIMENTAL EFFECTS ON NEIGHBORHOOD LIVING/WORKING CONDITI

The addition to the school probably would not be detrimental to the neighborhood living or working conditions.

D. ADEQUACY OF PROVISIONS FOR WATER AND SANITARY SEWERS:
E. ADEQUACY FOR PUBLIC FACILITIES:

Services are adequate.

F. ADEQUACY FOR PROVISIONS FOR TRAFFIC MOVEMENT:

There are no proposed driveway or curb cuts. The existing parking area at the northern portion of the project will not be adequate for the increased traffic and parking produced by the addition to the school. Staff recommends sufficient parking be included with the proposed addition.

Parking spaces are determined for Special Exceptions by the Environmental Development Commission per Sec. 64.109.

G. ADEQUACY OF PROPOSED DRAINAGE SYSTEMS:

An existing dwelling is to be razed and a new structure constructed over the abutting lot 31. No new paved areas are proposed.

H. ADEQUACY OF SETBACKS, BUFFERING AND GENERAL AMENITIES:

The proposed site plan shows a front yard setback for the addition of 22 feet. Staff recommends a 25 foot front yard which is generally the standard front yard. The existing structure is only 10 feet m.o.l. from the front property line. Per Sec. 64.105, minimum yard requirements, depth and width are determined by the Environmental Development Commission for Special Exception.

I. LAND AREA IS SUFFICIENT, APPROPRIATE AND ADEQUATE FOR USE:

According to Sec. 64.104, the minimum lot requirement, area and width is determined by the Environmental Development Commission for Special Exception. A smaller building should be proposed on the property with more green space and adequate parking.

cc:

Friends of Happy Workers, Inc.
920 19th St. So.
St. Petersburg, Fla. 33712

Mrs. Fannie Voolious
P.O. Box 245
Hawthorne, Fla. 32640

Mrs. L'Angel
1830-9th St. No.
St. Petersburg, Fla. 33704

According to Planning Division records, no members reside or have 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.

REPORT TO THE ENVIRONMENTAL DEVELOPMENT COMMISSION FROM ZONING AND SUBDIVISIONS, DIVISION OF PLANNING, for Executive Action on May 2, 1979, Council Chambers, 2:00 P.M., Municipal Building, 175 Fifth Street North, St. Petersburg, Florida

April 27, 1979
Item No. 9

STAFF REPORT SE-437

APPLICANT: Fannie Voolious

LOCATION: Daly's Revised Subdivision, Block 2, Lots 31, 32, 33, 34, 35, and 36 (942 19th Street South)

REQUEST: Approval of a related Site Plan for the approved Special Exception (on February 21, 1979) for a 1,500 sq. ft. addition to the Happy Workers Kindergarten and Day Nursery, on a .84 acre site, zoned RM-10.

SITE DATA:

Zone:	RM-10	
Use:	Kindergarten and Day Nursery	
Site Area:	36,696 sq. ft.	.84 Acres m.o.l.
Existing Bldg. Coverage:	10,875 sq. ft.	29.6% of Site m.o.l.
Proposed Addition:	1,500 sq. ft.	4.0% of Site m.o.l.
Total Bldg. Coverage:	12,375 sq. ft.	33.7% of Site m.o.l.
Open Green Space:		
Existing:	21,322 sq. ft.	58.1% of Site m.o.l.
Proposed:	18,822 sq. ft.	51.3% of Site m.o.l.
Existing Paving Coverage:	4,050 sq. ft.	11.0% of Site m.o.l.
Proposed Paving Coverage:	5,050 sq. ft.	13.8% of Site m.o.l.
Parking Spaces:	Required: Determined by E.D.C. Existing: 5 spaces	
Building Height:	Permitted: 35 Ft. Proposed: One story	

SITE PLAN REVIEW

I. Procedural Requirements: The applicant has met and complied with the procedural requirements of the Zoning Code Sections 64.23 and 64.102 for a Kindergarten and Day Nursery.

II. DISCUSSION AND RECOMMENDATIONS:

The existing use of the property at the southeast corner of 9th Avenue South and 19th Street South is a kindergarten and Day Nursery called "The Friends of Happy Workers, Inc." The first structure was built in 1926. The organization wants to expand over an abutting lot presently developed with a residence which will be razed.

The proposed 1,500 sq. ft. structure will consist of an assembly area, storage, and offices. The Special Exception for this use in RM-10 was approved by the Environmental Development Commission on February 21, 1979. The site plan was deferred for a revised plan to be submitted in approximately 60 days.

Staff recommends approval of the revised site plan subject to the following:

III. THE SITE PLAN HAS BEEN REVIEWED FOR THE FOLLOWING CRITERIA:

a. INGRESS AND EGRESS:

The proposed access from 19th Street and 9th Avenue South will allow improved traffic circulation.

b. LOCATION AND RELATIONSHIP OF OFF-STREET PARKING, ETC:

No additional parking is proposed on site.

c. SUFFICIENCY OF SETBACKS, SCREENS, BUFFERS AND GENERAL AMENITIES:

Setbacks are adequate for the new structure. The plan indicates a "sound and visual buffer screen wall" on two sides of the air conditioners near the south property line.

Item 1. Staff shall approve a buffer wall detail indicating type and size of materials to be used for the buffer wall.

d. DRAINAGE:

The existing dwelling is to be razed and a new structure constructed on Lot 31. Existing drainage will not be materially affected.

e. AVAILABILITY AND COMPATIBILITY OF HOOK-IN LOCATIONS:

Sewer and water services are adequate.

f. SIGNS:

No new signs are proposed at this time.

g. ORIENTATION AND LOCATION OF BUILDINGS, RECREATIONAL FACILITIES AND OPEN SPACE:

The orientation and location of the new building seems to be compatible with the nearby residences.

Item 2. There shall be no windows on the south wall of the assembly area in order to eliminate noise for the abutting property.

h. PROXIMITY, RELATIONSHIP AND COMPATIBILITY OF EXISTING AND PROPOSED SURROUNDING LAND USE:

According to the Land Use Plan, the property is designated Public/Semi Public.

Northwest: Residential medium density.

East, West, South: (includes Lot 31) Residential low medium density

North: Public/semi public

i. GENERAL AMENITIES:

The proposed new structure will be an improvement for both the neighborhood and the facilities of the Friends of Happy Workers.

j. TREATMENT AND LOCATION OF HANDLING OF SOLID WASTE DISPOSAL:

There is an existing trash container in the northeast portion of the property which should be adequate.

k. LANDSCAPING AND PRESERVATION OF NATURAL MAN-MADE FEATURES:

Item 3. Submit a landscape plan to Staff for approval with particular emphasis on the planting around the offices.

Fesko and Willingham, architects
Al Willingham
235 4th Ave. N.E. 33701

Friends of Happy Workers, Inc.
920 19th St. So. 33712

3. **CASE NO:** **SE-02-049 (SE-437B)** **H-5**

APPLICANT: Happy Worker's Children Center
920 19th Street South
St. Petersburg, Florida 33712

REPRESENTATIVE: Dr. Virginia Irving, Director
Happy Worker's Children Center
920 19th Street South
St. Petersburg, Florida 33701

ENGINEER/ARCHITECT: Don Bush
Charles Canerday & Associates, Inc.
800 2nd Avenue South, Suite 320
St. Petersburg, Florida 33701

LOCATION: 920 19th Street South
(PIN#25/31/16/20232/002/0040, 25/31/16/20232/002/0050, 25/31/16/20232/002/0060, 25/31/16/20232/002/0070, 25/31/16/20232/002/0080, 25/31/16/20232/002/0100, 25/31/16/20232/002/0290, 25/31/16/20232/002/0310)

REQUEST: Approval of a Special Exception and related site plan for the expansion of an existing day care center (6,000 square feet m.o.l./90 additional children).

PRESENTATIONS: John Hixenbaugh made the presentation based on the staff report.

Don Bush, representing the applicant, agreed with staff recommendations.

1st MOTION: **Commissioner Kehm moved and Commissioner Fisher seconded a motion to approve the Special Exception, subject to the conditions of the Staff Report.**

VOTE: **Yes - Fisher, Kehm, Lachman, Cravey, Samuel, Whiteman, Van Butsel.**
No - None
Voting Conflict - Canerday

2nd MOTION: **Commissioner Kehm moved and Commissioner Fisher seconded a motion to approve the related site plan, subject to the conditions of the Staff Report.**

VOTE: **Yes - Fisher, Kehm, Lachman, Cravey, Samuel, Whiteman, Van Butsel.**
No - None
Voting Conflict - Canerday

ACTION TAKEN ON SE-02-049 (H-5)
1) Motion to approve the Special Exception, subject to the conditions of the Staff Report, approved by a vote of 7-0
2) Motion to approve the related site plan, subject to the conditions of the Staff Report, approved by a vote of 7-0

CITY OF ST. PETERSBURG

CITY OF ST. PETERSBURG
DEPARTMENT OF DEVELOPMENT SERVICES
DEVELOPMENT REVIEW SERVICES DIVISION
ENVIRONMENTAL DEVELOPMENT COMMISSION
ACTION TAKEN AGENDA/MINUTES

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

November 6, 2002
Wednesday
2:00 P.M.

First Alternate: Lynn Cravey ***Second Alternate: Calvin Samuel*** ***Third Alternate: Thomas Whiteman***

Commission Members:

Douglas Robison, Chair - **A**
Michael Van Butsel, Vice-Chair - **P**
Ben E. Fisher - **P**
Martha Kehm - **P**
Charles S. Canerday - **P**
Edward L. Lachman- **P**
Vacant

Alternates:

1. Calvin B. Samuel - **P**
2. Thomas Whiteman Jr. - **P**
3. Lynn V. Cravey - **P**

A = Absent
P = Present

City Staff Present:

John Hixenbaugh, Zoning Official
Jammi Shelton, Planner III
Al Galbraith, Assistant City Attorney

Vice Chair Van Butsel called the meeting to order at 2:06 p.m. A quorum was present.

I. APPROVAL OF THE MINUTES OF OCTOBER 2, 2002

II. **SWEARING IN OF WITNESSES**. Representatives of City Administration, the Applicant/Appellant, Opponents, Property Owner and members of the public (witnesses) who wish to testify at the Hearing must declare that he or she will testify truthfully by taking an oath or affirmation in the following form:

"Do you swear or affirm that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?"

The oath of affirmation will be administered prior to presentation of testimony and will be administered en masse to those who wish to testify. Persons who submit cards to testify after the administration of the oath, who have not been previously sworn, must be sworn prior to testifying.

CITY OF ST. PETERSBURG

CITY OF ST. PETERSBURG
DEVELOPMENT SERVICES DEPARTMENT
DEVELOPMENT REVIEW SERVICES DIVISION
ENVIRONMENTAL DEVELOPMENT COMMISSION REPORT

According to Development Services Department records, **no Commission member** 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.

REPORT TO THE ENVIRONMENTAL DEVELOPMENT COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, DEPARTMENT OF DEVELOPMENT SERVICES, for Public Hearing and Executive Action on **November 6, 2002 at 2:00 P.M.** in Council Chambers, City Hall , 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.:	**SE-02-049 (SE-437B) (Plat Sheet: H-5) November 6, 2002**
APPLICANT:	Happy Workers Children's Center 920 19th Street South St. Petersburg, Florida 33712
REPRESENTATIVE:	Dr. Virginia Irving, Director Happy Workers Children's Center 920 19th Street South St. Petersburg, Florida 33701
ENGINEER/ARCHITECT:	Don Bush Charles Canerday & Associates, Inc. 800 2nd Avenue South, Suite 320 St. Petersburg, Florida 33701
LOCATION:	920 19th Street South (PIN: 25/31/16/20232/002/0040, 25/31/16/20232/002/0050, 25/31/16/20232/002/0060, 25/31/16/20232/002/0070, 25/31/16/20232/002/0080, 25/31/16/20232/002/0100, 25/31/16/20232/002/0290, 25/31/16/20232/002/0310)
LEGAL:	Lots 4 - 10 and Lots 29 - 36, Block 2, Daly's Revised Subdivision, as recorded in Plat Book 3, Page 27, of the Public Records of Pinellas County, Florida.
REQUEST:	Approval of a Special Exception and related site plan for the expansion of an existing day care center (6,000 square feet m.o.l./90 additional children).
ZONING DISTRICT:	**RM-10 (Multi-family Residential)**
PROPOSED USE:	Daycare Center

SITE DATA

SITE AREA:	89,761 sq. ft.	(2.06 acres)
GROSS FLOOR AREA		
Proposed:	21,209 sq. ft.	0.24 F.A.R.
Existing:	15,710 sq. ft.	0.17 F.A.R.
Permitted:	35,905 sq. ft.	0.40 F.A.R.
BUILDING COVERAGE		
Proposed:	21,209 sq. ft.	23.6% of Site m.o.l.
Existing:	15,710 sq. ft.	17.5% of Site m.o.l.
Permitted	35,905 sq. ft.	40.0% of Site m.o.l.
IMPERVIOUS SURFACE:		
Proposed:	48,624 sq. ft.	54.0% of Site m.o.l.
Existing:	25,843 sq. ft.	29.0% of Site m.o.l.
Permitted:	58,345 sq. ft.	65.0% of Site m.o.l.
OPEN GREEN SPACE:		
Proposed:	41,137 sq. ft.	46.0% of Site m.o.l.
Existing:	63,918 sq. ft.	71.0% of Site m.o.l.
PAVING COVERAGE:		
Proposed:	27,415 sq. ft.	30.5% of Site m.o.l.
Existing:	10,133 sq. ft.	11.3% of Site m.o.l.
PARKING SPACES :		
Proposed:	39; 2 handicapped space(s)	
Existing:	2; 0 handicapped space(s)	
Required:	29; 2 handicapped space(s)	
BICYCLE PARKING:		
Proposed:	4 (10%)	
Existing:	0 (0%)	
Required:	4 (10%)	
BUILDING HEIGHT:		
Proposed:	33 feet; 1-story	
Existing:	22 feet; 1-story	
Permitted:	35 feet;	
OTHER:		
Proposed number of children:	180 children	
Existing: number of children:	90 children	
Proposed/Existing hours:	6:30 AM - 5:30 PM	

SPECIAL EXCEPTION/SITE PLAN REVIEW

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 29-424 of the Municipal Code for a daycare center which is a Special Exception use in the **RM-10** zoning district.

II. **DISCUSSION AND RECOMMENDATIONS:**

History:
Happy Workers Children's Center has been operating at the subject location for decades, and prior to the establishment of the Environmental Development Commission and the Special Exception for a day care center in the RM-10 zoning district as prescribed by the current Zoning Ordinance.

The earliest case noted on the City's plat sheets indicates that the use was expanded from the original 1926 church structure into a new 5,750 square foot building in 1979. This expansion required a Special Exception because the use was expanded to newly added property. In the subject application, the applicant is once again adding to the property holdings and requires a new Special Exception to establish the day care use on these newly added lands. While the use prescribed in the Zoning Ordinance is *"Day Care Centers...when abutting the Interstate, arterial and collector streets,"* the Zoning Official determined that this latter portion of the use description did not need to be satisfied by the subject request. Happy Workers Children's Center has **never** been located on a major street and its expansion is **not subject** to this provision, which was added to the code after 1977.

Current Proposal:
After continued growth, the facility has acquired a number of additional lots in the immediate vicinity and plans for what amounts to a near total redevelopment of the property. With exception of the church building and a 1,700 square foot administration building on Lot 31, other structures on the property will be demolished and two new classroom facilities, totally nearly 18,000 square feet, will be developed.

The setting of the existing and proposed buildings will allow for the creation of a campus with plenty of open space and more than 10,000 square feet of play area. Buildings will be connected by sidewalks and green spaces, and portions of the site housing children are clearly delineated and physically separated from those areas used for parking, stormwater detention, and service uses. The parking area, located south of the main facility, will include parking spaces for children drop-off. The parking area is separated from the facility by a low masonry wall and an entry feature that accommodates secure access to the property upon check-in at the administration building. From a site planning perspective, the segregation of uses and the provision for children safety has been well met by the proposed site plan.

The existing church building is a local historic landmark. It is not proposed for modification or addition of any kind. However, any modification or alteration will require the issuance of a Certificate of Appropriateness. In addition, it should be noted that the landscape plan is deficient in terms of meeting current code requirements for required green yard along the roadways and for foundation, parking lot, and perimeter landscaping. The plan will require modification at the time of permit submittal. These modifications should not substantially impact the layout of the site plan.

Neighborhood Comments:
One telephone call of support from Annette Ross, 1813 13 Avenue South, was received at the time this report was prepared.

SUMMARY:
The proposed expansion and redevelopment is an exciting project for the community. Happy Workers Children's Center provides a valuable service to residents of the area, and its request to increase the number

of students on a newly expanded campus with new facilities and is welcomed and embraced by the Administration. The site plan admirably segregates the various activities to maximize efficiency and accommodate security and safety for the children. No adverse impacts to the neighborhood or adjoining properties have been identified by the proposed expansion of this Special Exception use.

III. STAFF RECOMMENDATIONS:

A Staff recommends APPROVAL of the following:

1. **APPROVAL of the Special Exception.**

2. **APPROVAL of the related site plan, subject to the conditions of the Staff Report.**

B. Special Conditions of Approval:

1. **Any modification or alteration of the historic church building shall require that the applicant secure a Certificate of Appropriateness from the City's Urban Design and Historic Preservation Division of the Development Services Department.**
2. **The landscape plan shall be modified to comply with the City's landscape ordinance, including the provision of green yards, and foundation, parking lot, and perimeter landscaping.**
3. **Additional ornamental trees shall be installed along 9th Avenue South to screen the service area. Such trees shall be planted at the minimum necessary to provide for reasonable growth and100 percent screening.**
4. **No permanent play equipment shall be located within 25 feet of the property line adjacent to any single-family home.**
5. **Approval of the site plan is subject to approval of the vacation ordinance by the City Council. No final certificate of occupancy shall be issued until the property has been replatted in accordance with the vacation ordinance.**

C. STANDARD CONDITIONS OF APPROVAL:

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE EDC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE DEVELOPMENT SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.

2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. The use/proposal shall be consistent with Concurrency Certificate No. **4685.**

2. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds

190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.

3. All site visibility triangle requirements shall be met (Chapter 29, Article IV, Section 29-192).

4. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

5. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article VI), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan which complies with the plan approved by the EDC and includes any modifications as required by the EDC. The EDC grants the Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article XV, of the City Code entitled "Landscaping, Irrigation, Vegetation Maintenance, and Tree and Mangrove Protection."

IV. RESPONSES TO RELEVANT CONSIDERATIONS BY THE ENVIRONMENTAL DEVELOPMENT COMMISSION FOR REVIEW (Pursuant to Chapter 29, Section 29-90(c)):

A. Ingress and egress and overall traffic plan has been evaluated and determined to be appropriate for the

subject application.

B. The location and relationship of parking areas, loading areas, and bicycle parking areas (as applicable) have been evaluated and determined to be appropriate for the subject application. Such improvements are appropriately screened and buffered from adjoining uses and along property lines.
C. No adverse impacts have been identified in the required traffic study. City staff has reviewed the plan and concurs with the findings of the study.
D. No adverse drainage impacts were identified by the City's professional engineering staff. Final engineered plans and permits will be required to ensure compliance with all required codes.
E. Signs, if presented by the applicant, are required to comply with the City's Sign Ordinance.
F. Orientation and location of the buildings, improvements, and open space have been evaluated in relationship to the neighborhood and the characteristics of the site. The proposed plan is appropriate in the balancing of these considerations.
G. The use is compatible with the natural environment and neighborhood, and any historic or archaeological sites (if applicable) that may be adjacent to the property.
H. There is no identifiable concentration of such uses within the immediate vicinity. There are no identifiable adverse impacts to living and/or working conditions of the neighborhood.
I. Appropriate measures have been implemented to provide adequate setbacks, screens, buffers, and general amenities; and to control adverse impacts necessary to ensure compatibility between uses.
J. Land area is sufficient to accommodate the proposed use without the creation of identifiable adverse impacts.
K. General amenities (if provided) are compatible with the character of the area.
L. The site has been evaluated to accommodate the preservation of existing vegetation and allow for reasonable use of the property.
M. No adverse impacts related to scale, mass, and building materials have been identified related to historic or archaeological resources within 200 feet of the property.
    1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article VIII).
    2. The property is **not within** a flood hazard area (Chapter 29, Article IV, Section 29-221).
N. The application does not diminish the adopted levels of service as prescribed by the City's Comprehensive Plan.
O. The use is consistent with the City's Comprehensive Plan.

The land use of the subject property is: **Residential Urban**

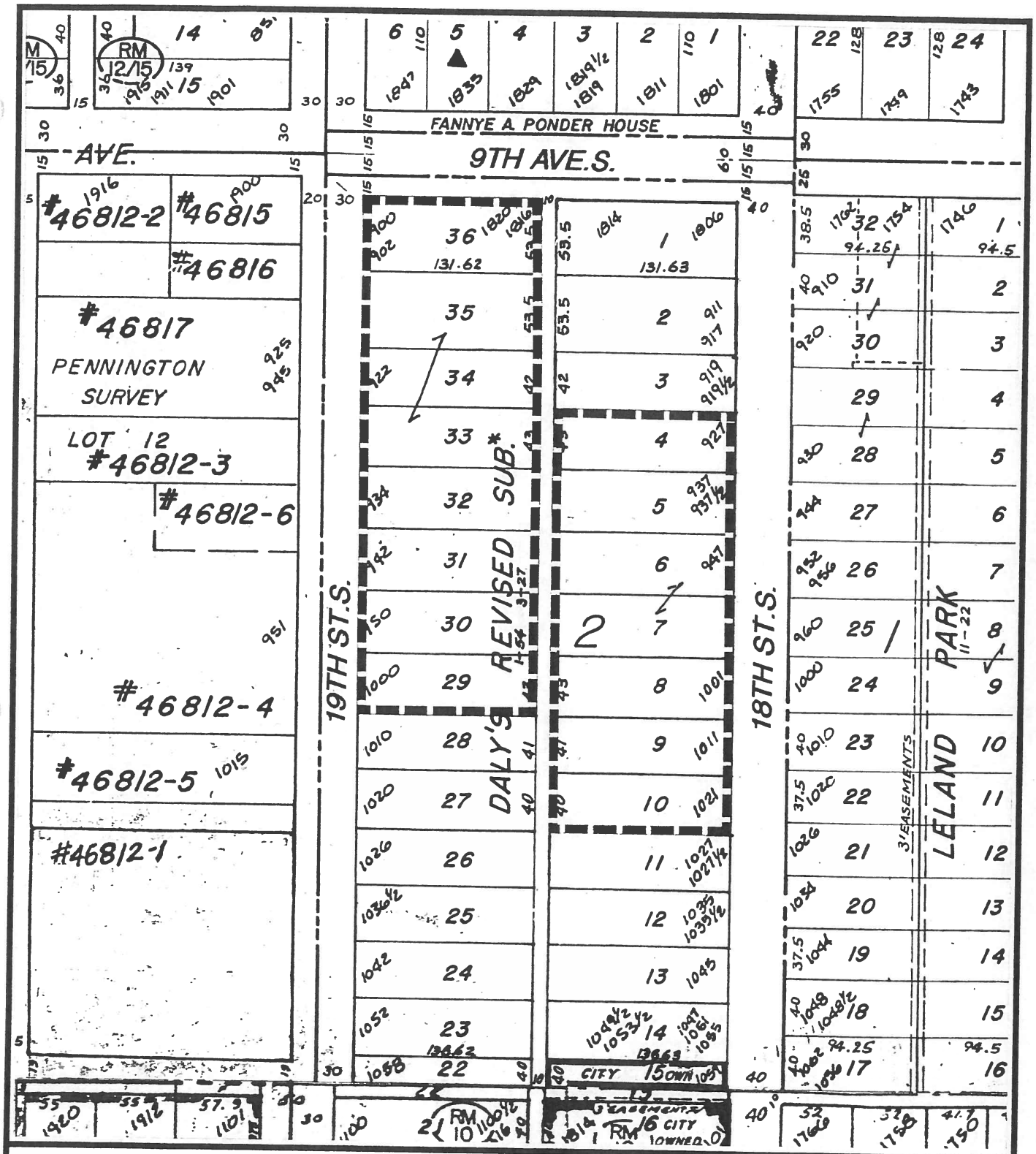
The land uses of the surrounding properties are:

North:	**Residential Urban**
South:	**Residential Urban**
East:	**Residential Urban**
West:	**Residential Urban**

JRH/jrh

Attachments:

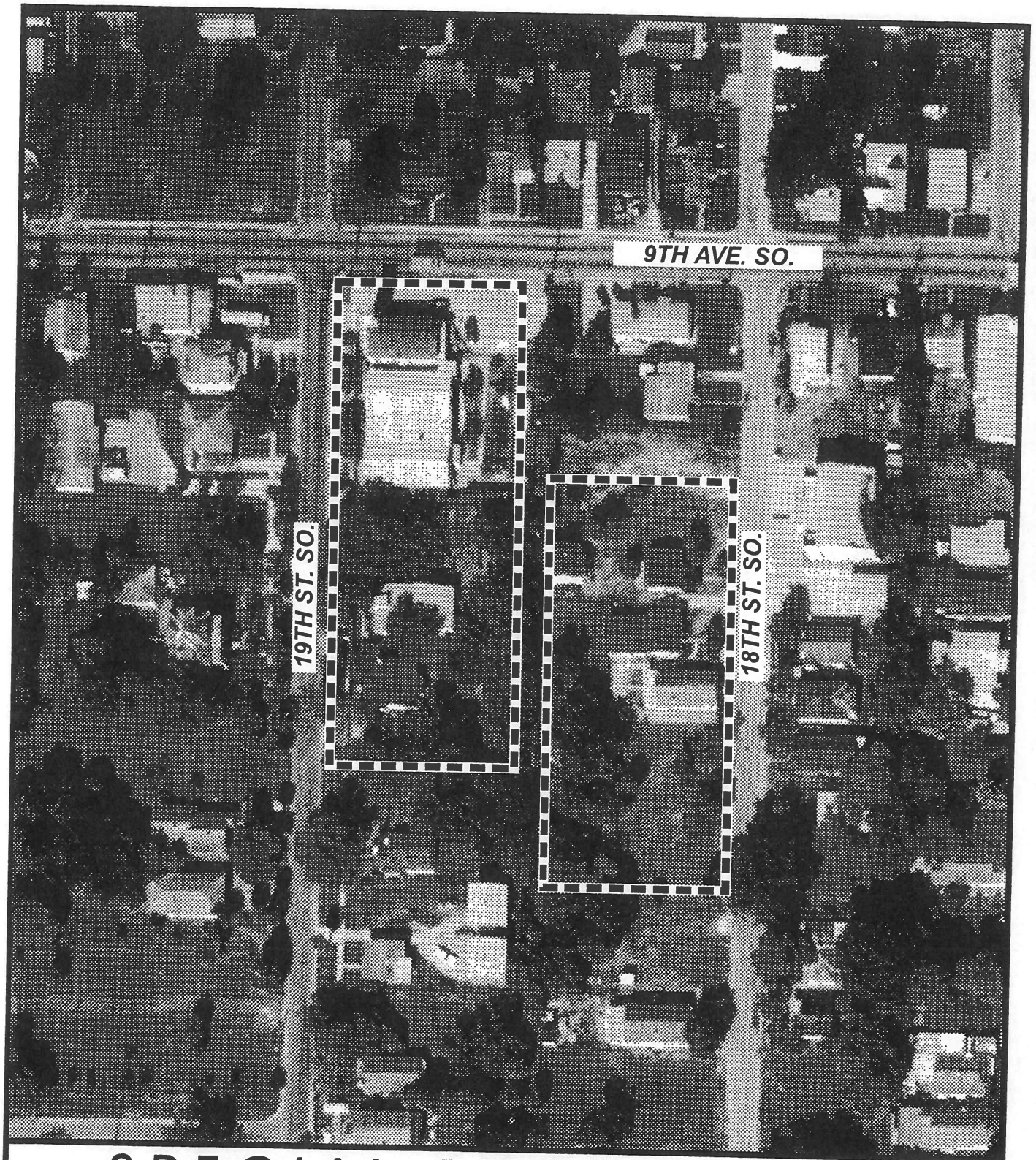
I:\Devl_Svc\Development Review Services\E D C\EDC 2002\November\SE-02-049 (SE-437B) 920 19th Street South (Happy Workers Children Center) - Don Bush\EDC report.wpd



SPECIAL EXCEPTION

CASE NUMBER:	AREA TO BE APPROVED SHOWN IN
SE-02-049 (SE-437-B)	
SCALE: 1" = 100'	HEARING DATE:

N



SPECIAL EXCEPTION

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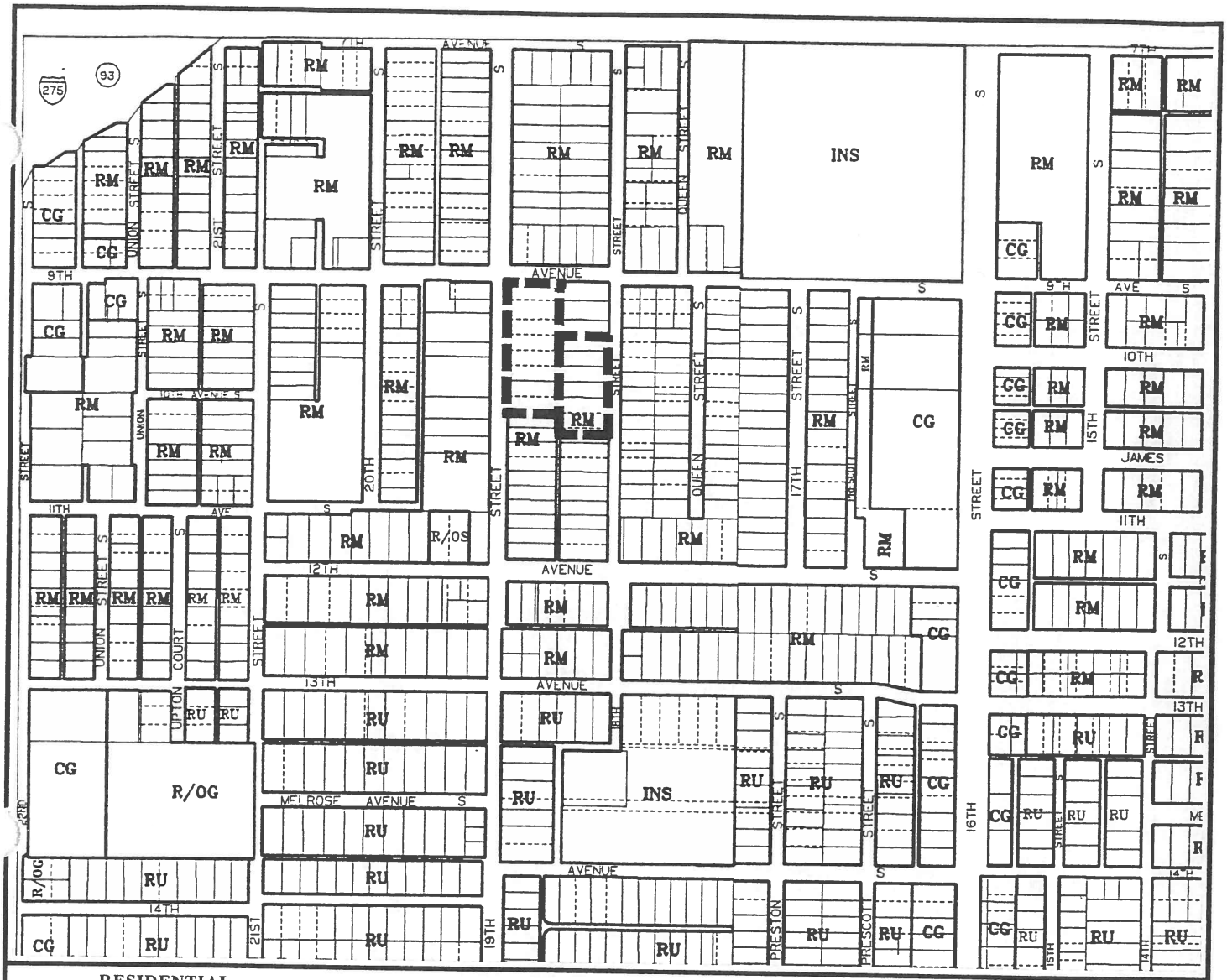
SE-02-049 (SE-437-B)	
SCALE: 1" = 100'	HEARING DATE:

N



RESIDENTIAL

- RR — Residential Rural
- RE — Residential Estate
- RS — Residential Suburban
- RL — Residential Low
- RU — Residential Urban
- RLM — Residential Low Medium
- RM — Residential Medium
- RH — Reidential High
- RVH — Residential Very High

MIXED USE

- R/OL — Residential/Office Limited
- R/OG — Residential/Office General
- R/O/R — Residential/Office/Retail
- Resort Facilities Overlay
- RFM — Resort Facilities Medium
- RFH — Resort Facilities High

COMMERCIAL

- CN — Commercial Neighborhood
- CL — Commercial Limited
- CR — Commercial Recreational
- CG — Commercial General

INDUSTRIAL

- IL — Industrial Limited
- IG — Industrial General

PUBLIC/SEMI/PUBLIC

- P — Preservation
- R/OS — Recreation/Open-Space
- INS — Institutional
- T/U — Transportation Utility

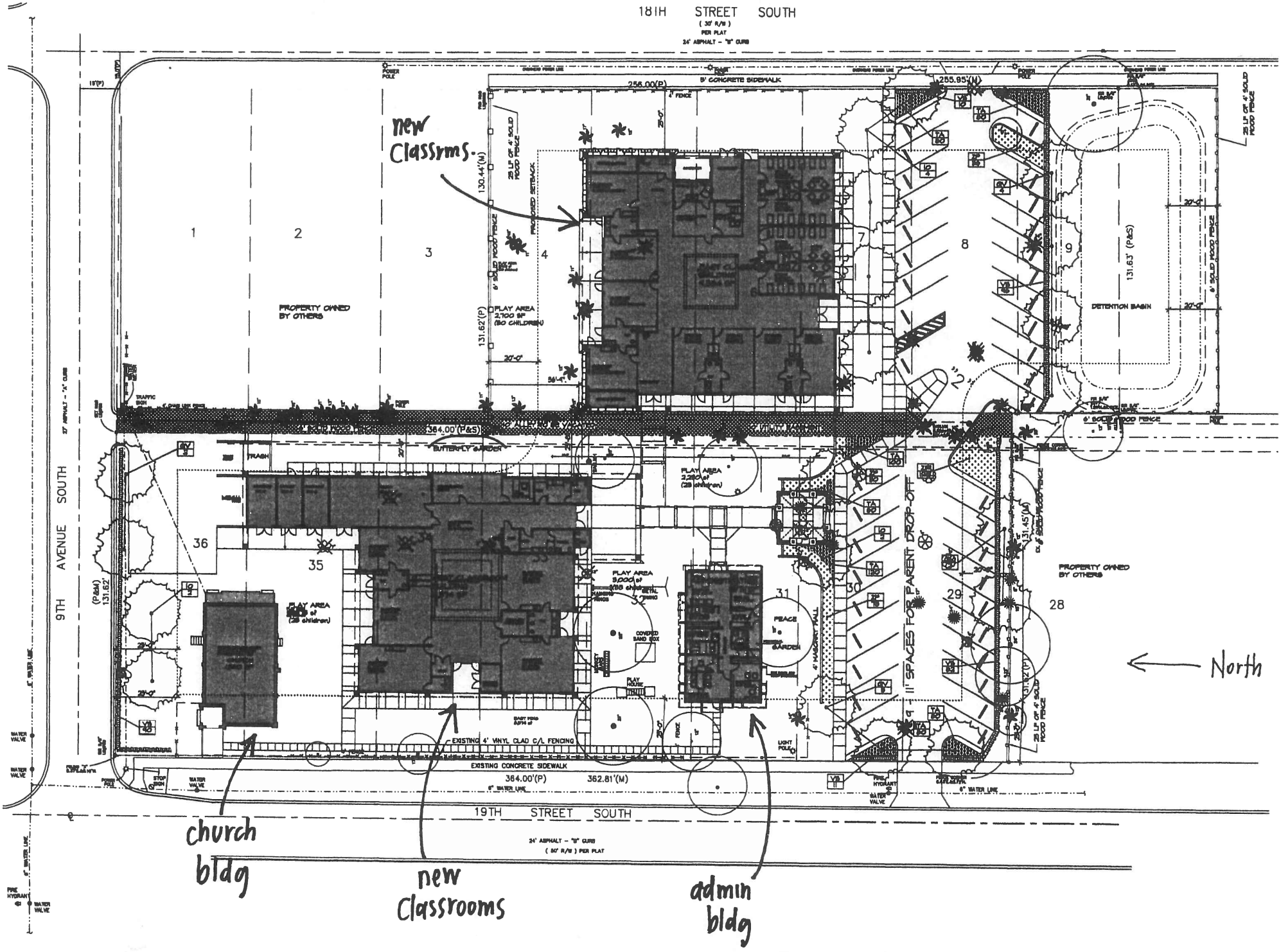
SPECIAL DESIGNATIONS

- Water/Drainage Feature
- Scenic/Non-Commercial Corridor
- Activity Center/Primary Secondary
- CRD — Community Redevelopment District
- CBD — Central Business District

Source: "Countywide Future Land Use Plan Map, Pinellas Planning Council, Countywide Planning Authority. Prepared by: Jim Smith, Property Appraiser Pinellas County, FL."
11/2001, **1" = 450'**

Area to be Approved Shown in:

LAND USE PLAN DESIGNATION


18TH STREET SOUTH
(30' R/W)
PER PLAT
24' ASPHALT - "B" CURB
new Classrms.
PROPERTY OWNED BY OTHERS
DETENTION BASIN
9TH AVENUE SOUTH
11' SPACES FOR PARENT DROP-OFF
EXISTING 4' VINYL CLAD C/L FENCING
EXISTING CONCRETE SIDEWALK
364.00'(P)
362.81'(M)
19TH STREET SOUTH
24' ASPHALT - "B" CURB
(30' R/W) PER PLAT
North
church bldg
new Classrooms
admin bldg

Certificate of Appropriateness

City of St. Petersburg

Urban Planning and Historic Preservation

COA Number 17-90200032 Application Date 7/28/2017

Applicant First Name Art Last Name Ohara

Property Owne First Name Happy Workers Last Name Inc

Property Address	Number	Street	Street Type	Direction	Unit Number
	920	19th	Street	S	

Resource Name Trinity Presbyterian Church Designation Number 98-04

Cost $850,000.00 Related File

Proposed Work:

Construct covered walkway along 19th St S building elevations-unattached-minimal physical effects. Repair windows/doors at classroom buildings., except churh bldg. As submitted.

TypeReview Staff-lpf CPC Date

Approval Approved with conditions Action Date 7/31/2017 COA Expiration 1/31/2019

Conditions Of Approval

1. No alterations to any historic elements of church building. Walkway not to exceed height as shown in submitted arch rendering.
2. Alteration to church requires separate review/approval.
3. Contact Historic Preservation at 727.892-547 for post-install inspection.

This certifies that the proposed work related to the property listed above has been approved by the Urban Planning and Historic Preservation division of the Planning and Economic Development Department. The approval of this Certificate of Appropriateness in no way constitutes approval of an "Application for Permit to Build" by the City of St. Petersburg's Construction Services and Permitting Division or any other required City permit approvals.

Staff Signature

Applicant Signature

st.petersburg
www.stpete.org

CERTIFICATE OF APPROPRIATENESS

Application No. 17-90200032

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Planning and Economic Development Department, located on the 8th floor of the Municipal Services Building, One Fourth Street North, St. Petersburg, Florida.

GENERAL INFORMATION

NAME of APPLICANT (Property Owner): Happy Workers Learning Center, Inc.

Street Address: 920 19th Street South
City, State, Zip: St. Petersburg, FL 33712
Telephone No: 727-578-5437
Email Address: aohara@rclub.net

NAME of AGENT or REPRESENTATIVE: R'Club Child Care, Inc. - Arthur O'Hara, Executive Director

Street Address: 4140 49th Street North
City, State, Zip: St. Petersburg, FL 33709
Telephone No: 727-578-5437
Email Address: aohara@rclub.net

PROPERTY INFORMATION:

Street Address: 920 19th Street South
Parcel ID or Tract Number: 25-31-16-20232-002-0290 & 25-31-16-20232-002-0310
General Location: 9th Ave South and 19th street from the corner south on 18th street to 954

Designation Number: HPC #98-04

AUTHORIZATION

City staff and the designated Commission will visit the subject property during review of the requested COA. Any code violations on the property that are noted during the inspections will be referred to the city's Codes Compliance Assistance Department.

By signing this application, the applicant affirms that all information contained within this application packet has been read and that the information on this application represents an accurate description of the proposed work. The applicant certifies that the project described in this application, as detailed by the plans and specifications enclosed, will be constructed in exact accordance with aforesaid plans and specifications. Further, the applicant agrees to conform to all conditions of approval. It is understood that approval of this application by the Commission in no way constitutes approval of a building permit or other required City permit approvals. Filing an application does not guarantee approval.

NOTES: 1) It is incumbent upon the applicant to submit correct information. Any misleading, deceptive, incomplete or incorrect information may invalidate your approval.
2) To accept an agent's signature, a notarized letter of authorization from the property owner must accompany the application.

Signature of Owner / Agent: Arthur O'Hara Date: 7/17/2017

UPDATED 09-12-2012

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CERTIFICATE OF APPROPRIATENESS

NARRATIVE (PAGE 1 OF 2)

All applications must provide justification for the requested COA based on the criteria set forth in the Historic and Archaeological Preservation Overlay (City Code Section 16.30.070). These criteria are based upon the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties (available on-line at www.nps.gov/history/hps/tps/standards_guidelines.htm). Please type or print clearly. Illegible responses will not be accepted. Please use additional sheets of paper if necessary.

GENERAL INFORMATION

Property Address: 920 19th Street South, St. Petersburg, FL 33712 **COA Case No:** 17-90000032

Type of Request	Proposed Use
☒ Alteration of building/structure	☐ Single-family residence
☐ New Construction	☐ Multi-family residence
☐ Relocation	☐ Restaurant
☐ Demolition	☐ Hotel/Motel
☐ Alteration of archaeological site	☐ Office
☒ Site Work	☐ Commercial
	☒ Other

Estimated Cost of Work: $850,000

WRITTEN DESCRIPTION OF PROPOSED WORK

Explain what changes will be made to the following architectural elements and how the changes will be accomplished. Please provide a detailed brochure or samples of new materials.

1. Structural System

PROPOSED COVERED WALKWAY TO ALL BUILDINGS, WALKWAY DOES NOT TOUCH EXIST. HISTORIC BLDG.

2. Roof and Roofing System

EXIST. ROOFING ON BUILDINGS IS SHINGLE, WALKWAY TO HAVE METAL PANEL.

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CERTIFICATE OF APPROPRIATENESS

NARRATIVE (PAGE 2 OF 2)

3. Windows
CLASSROOM BUILDINGS SHALL HAVE WINDOWS REPAIRED/REPLACED AS NEEDED.

4. Doors
EXTERIOR DOOR AT CLASSROOM BUILDINGS TO BE REPLACED

5. Exterior siding
N/A

6. Decorative elements
N/A

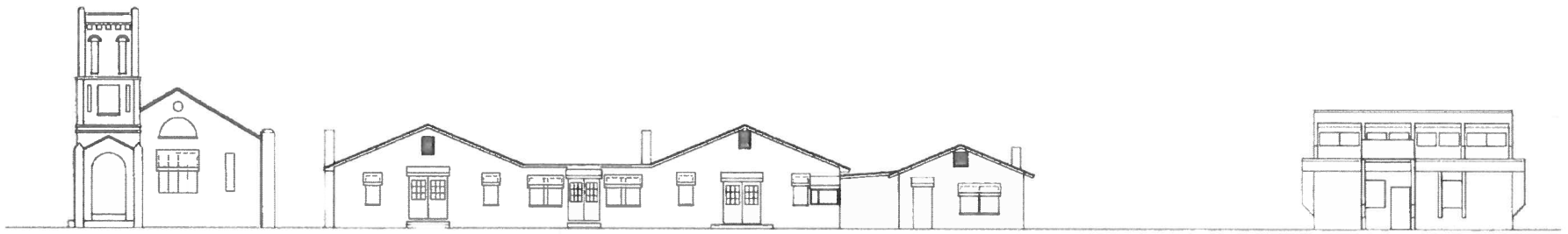
7. Porches, Carriage Porch, Patio, Carport, and Steps
N/A

8. Painting and/or Finishes
ALL STRUCTURES SHALL BE PAINTED

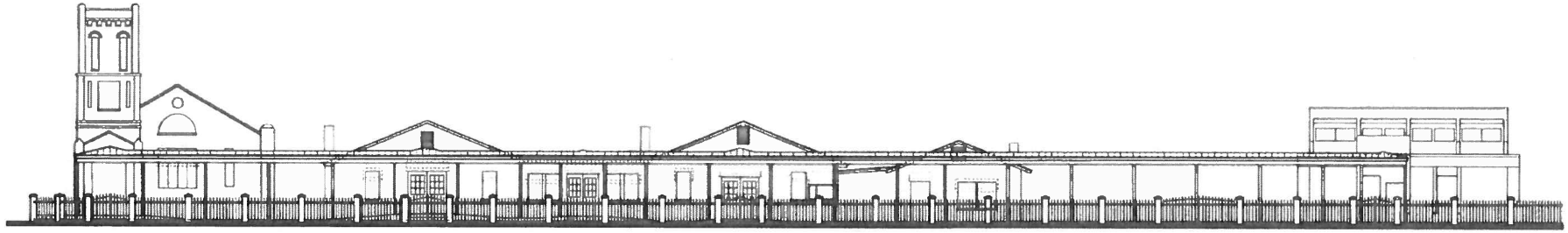
9. Outbuildings
N/A

10. Landscaping, Parking, Sidewalk, Garden features
NEW LANDSCAPING IS TO BE ADDED AT COVERED WALKWAY AND NEW PARKING LOT.

11. Other



1 A3.1 EXISTING WEST ELEVATION
SCALE: 1/8"=1'-0"



2 A3.1 PROPOSED WEST ELEVATION
SCALE: 1/8"=1'-0"

Donald J. Lyons
AR0014763

Jovanovic & Lyons, LLC
Architectural Planning & Design
www.jovanoviclyons.com

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ALTERATION FOR
HAPPY WORKERS/"R" CLUB
920 19TH. STREET .S
ST. PETERSBURG, FLORIDA

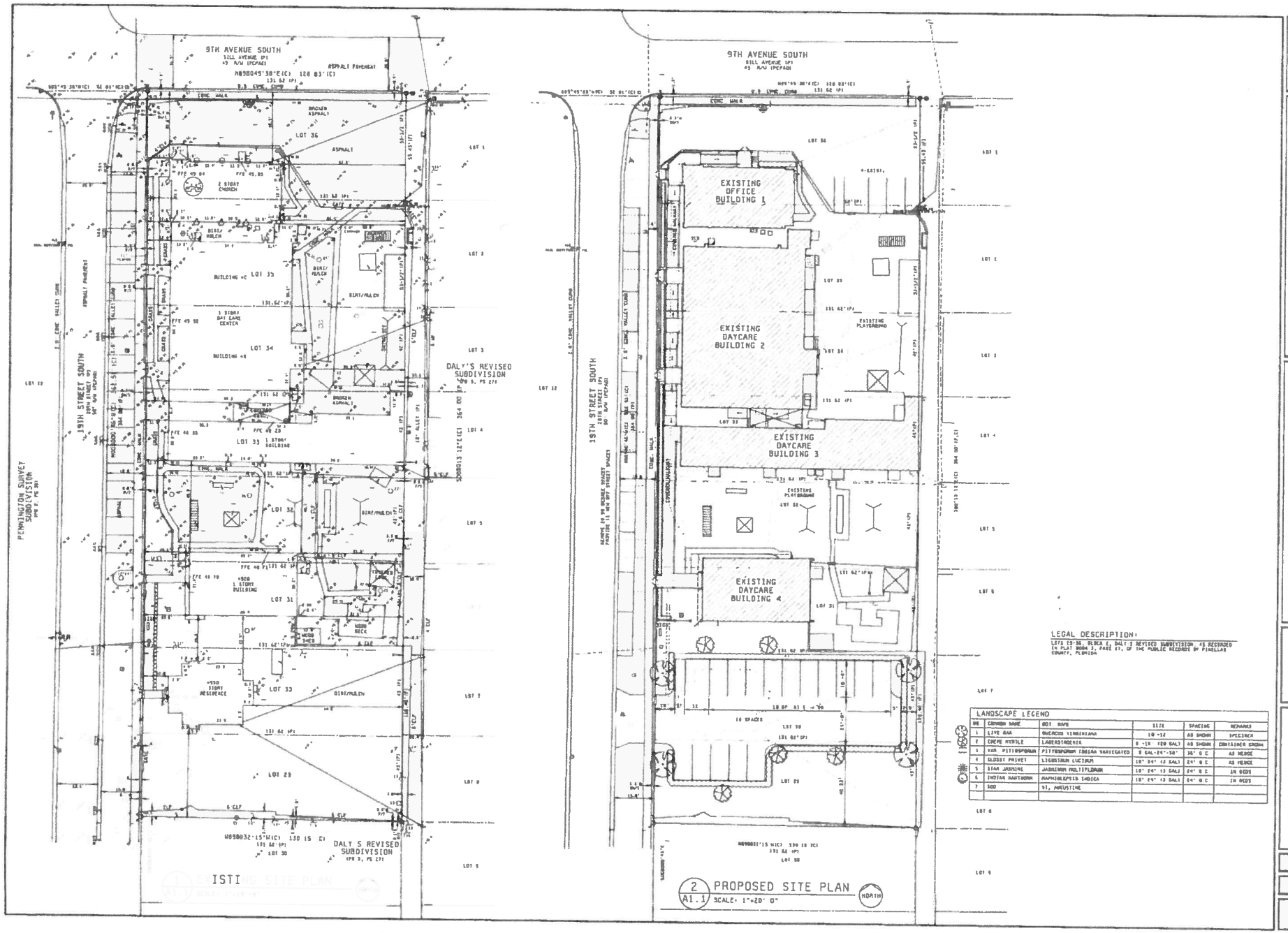
Revisions:

EXTERIOR ELEVATIONS

Project Number
17025

Date
5-26-17

Sheet Number
A2.1



LEGAL DESCRIPTION:

LOTS 29-36, BLOCK E, DALY S REVISED SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 27, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

LANDSCAPE LEGEND

NO	COMMON NAME	BOT NAME	SIZE	SPACING	REMARKS
1	LIVE OAK	QUERCUS VIRGINIANA	10'-12	AS SHOWN	SPECIMEN
2	CREPE MYRTLE	LAGERSTROEMIA	8'-10' (20 GAL)	AS SHOWN	CONTAINER GROWN
3	VAR PITTOSPORUM	PITTOSPORUM TOBIRA VARIEGATED	5 GAL-24"-30"	36" O.C	AS HEDGE
4	ALEXIS PRIVET	LIGUSTRUM LUCIDUM	10' 24" 15 GAL	24" O.C	AS HEDGE
5	STAR JASMINE	JASMINUM POLYFLORUM	10' 24" 15 GAL	24" O.C	IN BEDS
6	INDIAN HAWTHORN	RAPHIOLEPSIS INDICA	10' 24" 15 GAL	24" O.C	IN BEDS
7	SOD	ST. AUGUSTINE			

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ALTERATION FOR
HAPPY WORKERS/"R" CLUB
920 19TH. STREET .S
ST. PETERSBURG, FLORIDA

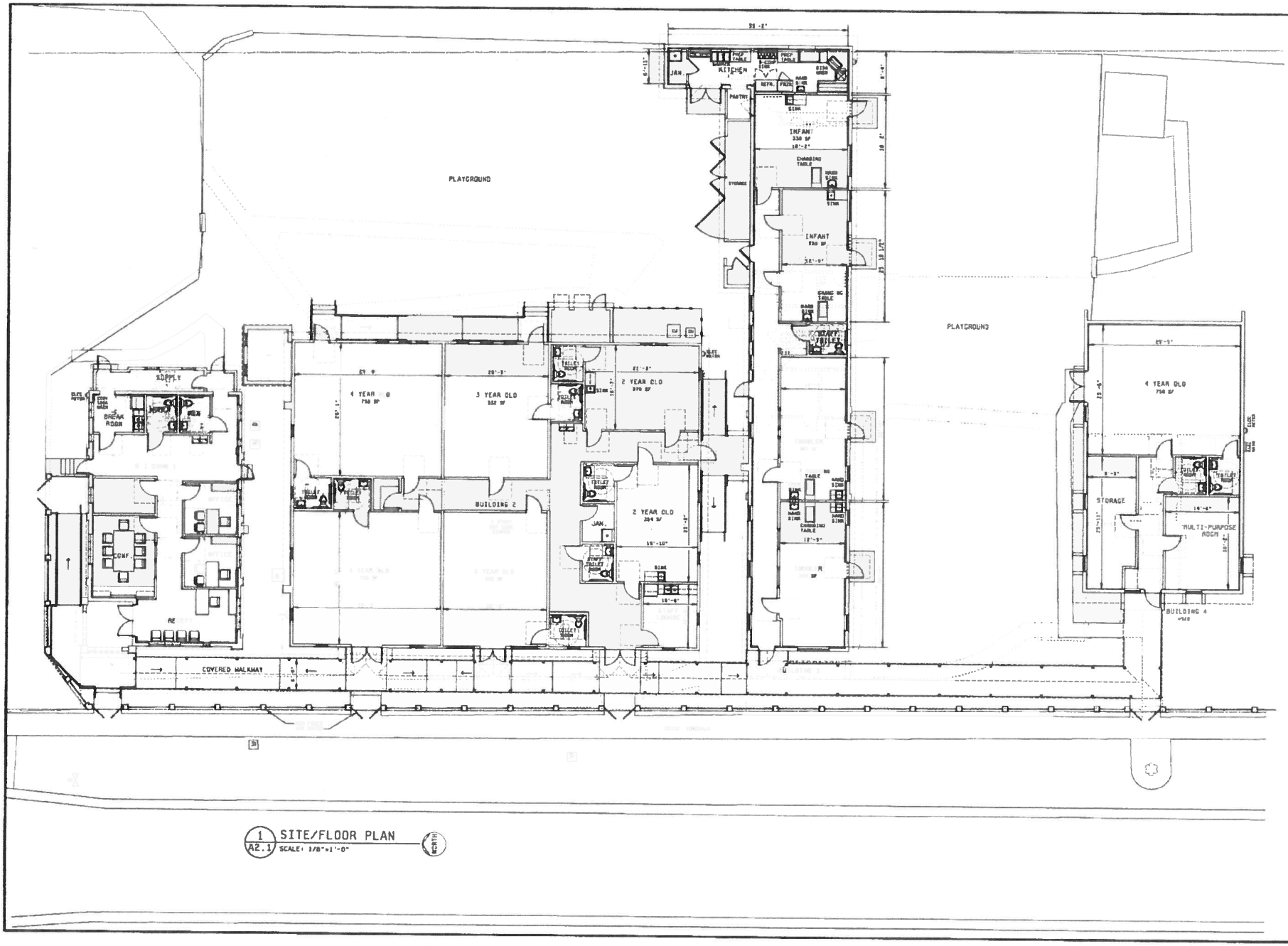
Revisions:

EXISTING AND PROPOSED SITE PLANS

Project Number
17025

Date
7-17-17

Sheet Number
A1.1



Jovanovic & Lyons, LLC

ALTERATION FOR
HAPPY WORKERS/"R" CLUB
920 19TH. STREET .S
ST. PETERSBURG, FLORIDA

SITE/FLOOR PLAN

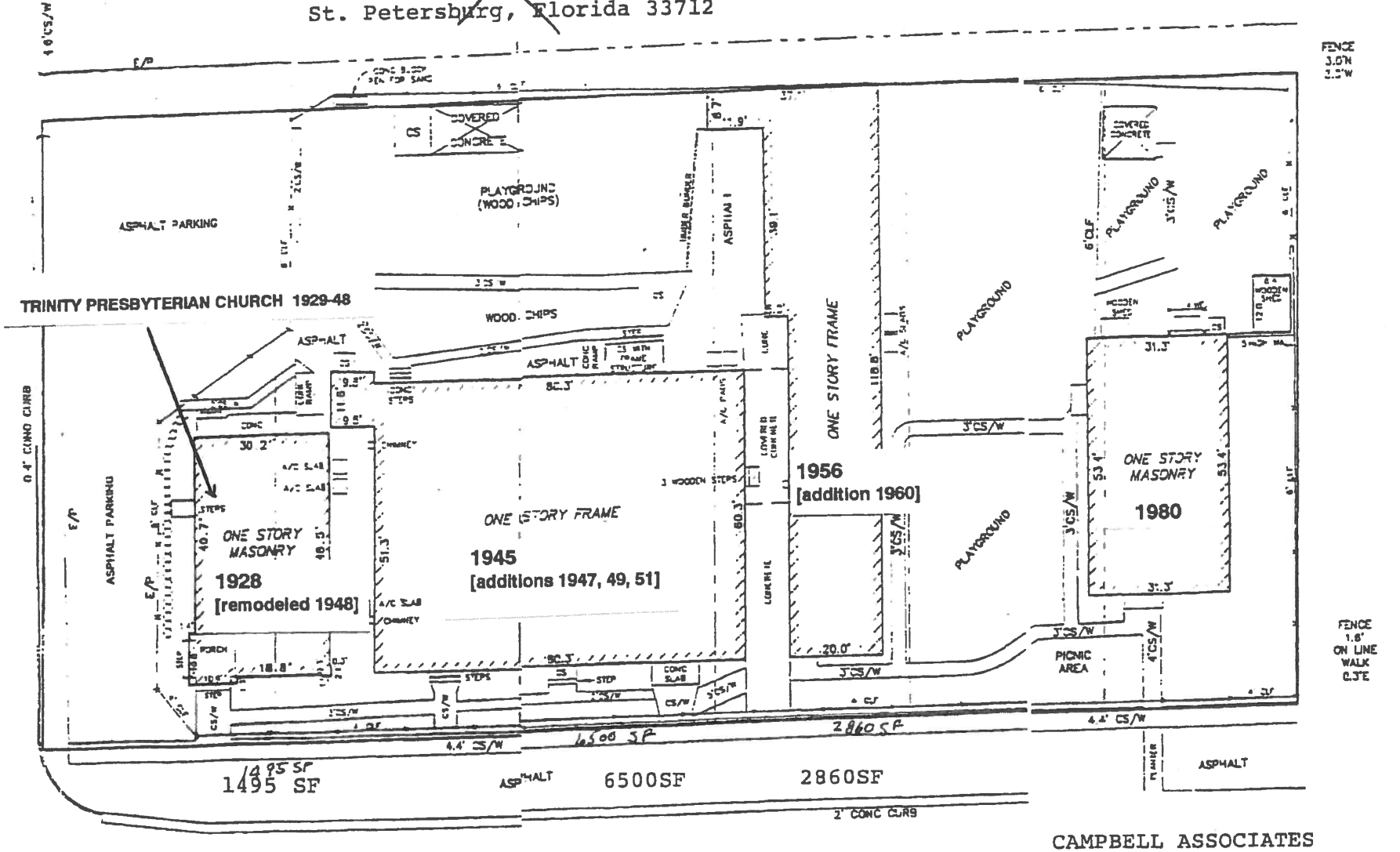
Project Number
17025

Date
5-26-17

Sheet Number
A2.1

EXHIBIT J

HAPPY WORKERS DAY NURSERY
902, 920, 922 and 942 19th Street South
St. Petersburg, Florida 33712



CAMPBELL ASSOCIATES
SITE SURVEY 4/16 -17, 1998

final copy

HISTORIC DESIGNATION STAFF REPORT
FILE NO: HPC 98-04

1. **Name of Property:**

   Historic: Trinity Presbyterian Church/Happy Workers Day Nursery

   Common: Happy Workers

2. **Applicant(s):** Friends of Happy Workers, Inc.
   920 19th Street South
   St. Petersburg, FL 33712

   Owner(s): Same

3. **Location of Property:** 902 19th Street South

   Legal Description: Daly's Revised Subdivision, Block 2 Lots 31-36 Inclusive

4. **Condition of Property:** Sound
   Altered-yes
   Moved-no

5. **Period of Significance: During what period(s) did property achieve historic significance:**

   The Trinity Presbyterian Church was established in 1929 and continued on this site until 1968 (in 1948 the church building was remodeled to its current appearance). From 1929 to present, Happy Workers Day Nursery has been located at this site.

6. **Area(s) of Significance:**

   Education/Social/Women's History/Religious/Architecture

7. **Description of Original or Historic Appearance:** Describe the historic appearance of the property and its setting during historic significance, in the following order:

   a. **Original setting:** Describe the surrounding area, neighborhood, rural or urban environment as it existed during historic significance.

The neighborhood, historically, has primarily been an African-American community. The WPA Survey of the City of St. Petersburg in 1939 shows this region of the City was the last to receive water, electric, paved street and other basic services. The building's location in 1929 was in the middle of a growing black community consisting of single

family, mostly wood frame homes. Residents took great pride in their neighborhood and several thriving churches and businesses were established, including the Trinity Presbyterian Church and Happy Workers Day Nursery.

b. Exterior appearance of the major contributing resource(s): Describe the design/style, materials, construction methods.

The Trinity Presbyterian Church building is a one-story Vernacular style wood frame structure with a stucco exterior. Rectangular in shape, the entrance faces north toward 9th Avenue South (Photo A).

The Vernacular style architecture is a "community" style based on local materials, climate and traditions. Influences may be from a variety of sources, however the final design usually does not match any particular style. Practicality is often the key element, with the function of the building determining its appearance.

The most significant feature of the building is a tower over the entrance at the northwest corner (Photo B). The tower has two levels, with the top featuring two vertical windows on each side. Above each window is a decorative crescent-shaped accent. The second level has a single window on each side bordered with a vertical band of glass blocks. Beneath the tower along the north facade is an arched opening which leads to a small entrance foyer with a double-door (Photo C).

The west side of the building, which serves as the main facade and entrance within the tower, also has an arched opening leading to the foyer. Immediately to the right along the facade is a large square window with a canvas awning. Above this window is an semi-circular segmental window with a small circular window above (Photo D). All three elements are aligned with the peak of the roof. A vertical band of glass blocks is located at the south end of the west facade. A plaque on the northwest corner of the building states the dedication date of August 1, 1948.

The north side of the building (Photo A) has four windows of different sizes, three of which have canvas awnings. A door in located in the middle of the north side.

The east side of the building has a concrete block utility room attached (Photo E) which extends eight feet from the building. Doorways with canvas awnings are along each end of this addition. Attic vents are visible on the gable near the peak of the roof, as well as exhaust fans.

The south side of the building (photo F) is separated from the adjacent building on the site by a six foot walkway. This side of the building has two windows.

c. **Interior appearance**: Give an overview of the interior appearance.

There are no photos or plans known to exist which would document the appearance of the original interior of the buildings. One can only surmise that the 1929-30 remodeling kept the interior very simple, with the main furnishing probably consisting of pews and a pulpit area. Various renovations of the buildings since 1968 have resulted in dropped ceilings, air conditioning, additional bathrooms, new flooring and fixtures and other changes as required for day care licensing purposes.

d. **Other Contributing resources**: Describe as above.

8. **Alterations and Present Appearance:** Describe alterations to the property in chronological order. Indicate the date, type, and reason for each of the following:

a. **Alterations to the major resource.**

City property card records indicate the Trinity Presbyterian Church has undergone numerous alterations. Records are not available prior to 1946, however the most significant change was the remodeling of the original wood frame structure during 1948 to resemble a more traditional church building. The most significant feature of the remodeling was the addition of a tower along the northwest corner.

Minor repairs and alterations have been made to the building, such as an 8' x 12' utility room added to the east side of the building in 1976.

b. **Alterations to other contributing resources.**

N/A

c. **Site alterations:** Demolition of any resources or construction of non-contributing resources, landscape changes, etc.

In addition to the Trinity Presbyterian Church building, there have been several other buildings on the property, each of which has been significantly altered over the years.

In 1945 a wood frame, 30 x 60 two room building with a kitchen and bathroom was constructed. In 1949, a 20 x 40 building was constructed to serve as a dining room. In 1951, a two-room addition was made to the school (21 x 60). In 1956 a 23 x 23 concrete one-story building was constructed and then expanded in 1960. In 1980 a new administrative office was built on the south end of the property. In 1979, both exterior improvements and interior remodeling were completed to the nursery. More renovations

took place in 1982, with new floor coverings, light fixtures, doors and other improvements.

d. Setting alterations: Describe changes in the surrounding area or neighborhood.

While several small structures have been built in the vicinity of this site, the area surrounding the Happy Worker's has not changed significantly over the past five decades. The entire Happy Workers site is bounded on the north by 9th Avenue South; on the west by 19th Street South; on the south by a private residence (lot 30); on the east by lots 1-6 which face 18th Street South. The Fannye A. Ponder Council House (locally designated landmark) is across Ninth Avenue South from Happy Workers Day Nursery.

9. Statement of Significance: Describe the historic significance of the property:

a. What events and circumstances led to the original development of the property? Why was it developed at that particular time and place?

The Synod of Atlanta determined in 1928 this section of south St. Petersburg should have a Presbyterian church led by an ordained minister. From this decision, the Trinity Presbyterian Church was created, as Rev. Oscar M. McAdams and Mrs. Willie Lee McAdams were sent to St. Petersburg. The original church was a wood frame Vernacular style building believed to have been constructed as a private residence in 1928. It was altered slightly in 1929-30, enclosing the porch and moving the front door from the 19th Street side to the 9th Avenue side (see application). In 1929, the McAdams established a Day Nursery at the church. Five children, whose parents paid 25 cents a week, made up the initial Happy Workers Kindergarten. This facility also housed the first "Colored Summer Vacation Bible School of Youth" in St. Petersburg.

b. Who was involved in the original development? Who was the owner? architect? builder? What other significant work or activities were these persons noted for? Are other important persons associated with the property? How?

Reverend Oscar M. McAdams and Mrs. Willie Lee McAdams arrived in St. Petersburg in August, 1929. These two people were extraordinarily well educated and served as community leaders and activists.

The designer of the remodeled church (1948) was Peter "P.P." Perkins, a local contractor who supervised the construction. Many other important persons are associated with the property, including Lillian Ramsey, Areatha Jordan, Lena Reynolds and Bertha Bankston.

c. Describe the above persons, including such details as: educational and professional background, important events surrounding their lives, builder's/architect's role in the development of St. Petersburg, other buildings built or designed, etc.

Willie Lee McAdams (c1900-1957): Born is South Carolina, she received her high school degree in Greenville, SC. She graduated from Haines Normal Institute of Augusta, Georgia, in 1924. Several years later she received a diploma from the Board of Christian Education of the Presbyterian Church USA. She attended Columbia University in New York during 1946, where she had the privilege of taking a course in pre-school education and of visiting several certified nurseries and kindergartens. Mrs. McAdams co-founded Happy Workers (affectionately called "Mrs. McAdams Place") in 1929 with her husband, Rev. Oscar M. McAdams. She helped build Happy Workers into the most prominent facility of its type in St. Petersburg's African American community.

Lillian Ramsey (1897-1983): Mrs. Ramsey came to St. Petersburg from Stroudsburg, Pa., in 1941. She had operated a summer boarding house in Mt. Pocono, Pa., for black professionals. In 1943, she convinced Mrs. McAdams to start a nursery for infants. Using a small room in the Trinity Presbyterian Church, they opened the nursery with a fee of $2 a week, if the parents could afford it. In 1946 Ramsey launched a campaign to create foster homes in the black community. Following the death of her husband in 1954, she decided to embark on a real estate career, and she became St. Petersburg's first African American licensed realtor. After a very successful and rewarding 20 year career in real estate, she retired but never stopped her service to the community.

Rev. Oscar M. McAdams: (1887-1976): Born in South Carolina, he was a graduate of Johnson C. Smith University in Charlotte, NC, and the Auburn (NY) Theological Seminary. He spoke five languages and also taught mathematics at 16th Street Middle School and Gibbs High School. In addition, he served as President of the Interdenominational Ministerial Alliance and President of the St. Petersburg Branch of the NAACP. He served as commissioner to the General Assembly of the Presbyterian Church USA. Rev. McAdams was often a devotion speaker on WSUN, the city's radio station located at the Pier. After living in St. Petersburg for over 40 years, he returned to South Carolina, where he died on May 16, 1976.

Peter "P.P." Perkins: Designer of the remodeled Trinity Presbyterian Church (1948), Perkins was a prominent African American contractor. He also built the additions to the Fannye A. Ponder Council House in 1952 and was called upon in the late 1940s to provide instruction in carpentry at Gibbs High School. There he directed the building of vocational buildings and a gymnasium-auditorium for school and community use. Originally from Bainbridge, Georgia, he lived in St. Petersburg for 57 years. He died in 1980.

Areatha S. Jordan: A native of Thomas County, Ga., Mrs. Jordan was a former director of Happy Workers. She was a graduate of Gibbs High School in 1934 and of Gibbs Junior College in 1959. Jordan was a teacher-operator at Ridgecrest Nursery Kindergarten from 1963 until she became director of Happy Workers in 1968. She died in 1971.

Lena Anderson Reynolds (1880-1980): Mrs. Reynolds came to St. Petersburg in 1902 from her native Virginia. A licensed practical nurse, she was owner and operator of the first black nursing home in St. Petersburg. Reynolds was also a teacher at Happy Workers for many years and helped train the staff.

Bertha Bankston: Director of Happy Workers for nine years, Mrs. Bankston was instrumental in starting reading programs for children in the African-American community.

Of course, the above persons are just a few of the countless others involved in operating Happy Workers, which remains a very important part of the community.

d. How was the property used during its period of significance? What important events or developments occurred there? How do they fit into the general historic development of the community?

Happy Workers Day Nursery has been in operation since 1929, when it was founded at the Trinity Presbyterian Church. It took over the Trinity Presbyterian Church Building in 1968 when the congregation relocated to 22nd Ave. South under the name Trinity United Presbyterian Church. Unfortunately, there is little historic literature remaining about the original Trinity Presbyterian Church. Mrs. McAdams apparently kept few records and most of the original scrapbooks and church records were destroyed in the 1960s.

In 1943, the Children's Interracial Organization (CIO) was formed to assist the Happy Workers Day Nursery and Kindergarten, helping to raise funds for its operation and expansion. This organization continued to play a key role in the operation of Happy Workers until the early 1970s.

In 1948, work began to remodel the church. Peter Perkins was the contractor for the project, which was completed in August of that year (see application).

In 1960, an additional building was constructed for the Happy Workers, which included larger schoolrooms and a kitchen. The $7,500 project was made possible primarily through the donations of several women's organizations in St. Petersburg. The new building was constructed by Thomas Hunt and the architect was Jack McCandless.

In 1966, the CIO held a benefit for the Happy Workers Day Nursery at the Pasadena Community Church. The event was a Freedom Concert by Coretta Scott King (Mrs. Martin Luther King, Jr.) featuring "The Story of the Freedom Movement in Narration, Song and Poetry" (see application).

When the Happy Workers Day Nursery acquired the Trinity Presbyterian Church in 1968, the building was named the "Martin Luther King Building." To make the building ready for the Happy Workers, several different organizations contributed their time and efforts to renovate the building.

In 1980, a new administrative center was constructed, complete with conferences rooms and office space. The $78,000 building was made possible in part through a building fund started by Adelia Langill in 1969. Once again, churches, civic groups and individuals contributed to the fund.

Since its inception, Happy Workers has been a major cornerstone in the early education of thousands of children in south St. Petersburg (Exhibit A). Today there are children of the fifth and sixth generation within the same family who have attended Happy Workers. There are many successful people currently living in St. Petersburg who are continuing Mrs. McAdams' historic mission of "Creating a caring community." Among those are State Representative Rudolph "Rudy" Bradley, City Councilmembers Ernest L. Fillyau, Sr. and Frank Peterman, Jr., and City Chief of Staff Don McRae. In addition, for several years Happy Workers served an important role as an approved training center for student practical nurses enrolled at Gibbs Vocational. There are only a few sites within the African-American community that currently maintain their original historic use, and Happy Workers continues its legacy of service to the community.

e. How and by whom was the property used after its period of significance?

The property continues to be used by the Happy Workers Day Nursery, operated by Friends of Happy Workers, Inc., a member agency of the United Way.

10. Identify the existing use(s) of the site and any adverse impacts:

The site is a nursery and kindergarten.

11. Discuss the relationship of the landmark to any existing and future City development plans.

The site is located within the Melrose/Mercy Neighborhood. Happy Workers Day Nursery is also located within the boundaries of the Mayor's Challenge 2001 initiative. A

resolution pledging up to $250,000 in Community Development Block Grant Funds was adopted by City Council on July 23, 1998 to expand and renovate the day care portion of the Happy Workers site, which is adjacent to the historic church building.

12. Discuss the Owner's Support of the Designation

The designation was initiated by Friends of Happy Workers, Inc., who own and operate the facility.

13. Evaluation of Significance:

The Happy Workers Day Nursery site is an important part of St. Petersburg's educational, social and religious history. Soon after the Trinity Presbyterian Church was established in 1929, it formed a day nursery thanks to the efforts of Rev. and Mrs. Willie Lee McAdams. Infant care was later added at the urging of Lillian Ramsey. Many other important people associated with the African American community have been part of the staff and/or attended as children. Happy Workers in also an important example of Vernacular style religious architecture. Designed by an African-American tradesman, the building's redesign was accomplished with limited resources but nevertheless accomplished its goal quite successfully. The Trinity Presbyterian Church/Happy Workers Day Nursery meets the following four criteria for designation as a local landmark and landmark site, as identified in Chapter 16 of the City Code as amended:

1. Criterion (1) Its value is a significant reminder of the cultural or archaeological heritage of the City, state or nation.

The Happy Workers has played a key role in the African American community, providing day care and education for thousand of children. In addition, the Trinity Presbyterian Church is one of many churches in south St. Petersburg which has contributed greatly to the community.

2. Criterion (3) It is identified with a person or persons who significantly contributed to the development of the City, state, or nation.

Several people associated with the Trinity Presbyterian Church and Happy Workers have significantly contributed to the development of the City. Among them are the founders, Rev. Oscar M. McAdams and Mrs. Willie Lee McAdams; Lillian Ramsey, community activist and St. Petersburg's first African American realtor; Lena Reynolds, Areatha Jordan and Bertha. Bankston.

3. Criterion (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.

The remodeling of the original Trinity Presbyterian Church in 1948 was designed and supervised by an African-American contractor named Peter Perkins. Unlike many churches in the community which could afford to hire an architect and use expensive materials, this building reflects the Vernacular style of architecture as applied to a religious structure.

4. Criterion (9) It has contributed, or is likely to contribute, information important to the prehistory or history of the City, State, or nation.

The Trinity Presbyterian Church played an important role in St. Petersburg's African-American history and is an equally important site related to women's history. Most of the achievements of the Happy Workers were accomplished by women, many of whom also held other jobs and had children of their own to raise, yet still displayed the dedication to operate a facility for the good of the community.

14. Staff Recommendation:

Staff recommends APPROVAL of the designation of the Trinity Presbyterian Church and Happy Workers Day Nursery as a historic landmark and landmark site.

15. References:

Arsenault, Raymond, 1996. *St. Petersburg and the Florida Dream, 1888-1950.* University Press of Florida, Gainesville, FL.

Children's Interracial Organization, brochure "A Freedom Concert by Coretta Scott King," March 10, 1966.

Children's Interracial Organization, flyer "Happy Workers Day Nursery and Kindergarten," undated.

City of St. Petersburg, Development Services Department. Property Card records for 902 19th Street South.

_____. 1993. *St. Petersburg Comprehensive Plan: Historic Preservation Element.*

Florida Site File (Site No. 16, Survey 84-10), Department of Historical Resources.

Fuller, Walter, 1967. St. Petersburg and its People. Great Outdoors Publishing Co., St. Petersburg.

St. Petersburg Museum of History, photographic archives.

St. Petersburg Independent, "Children's Interracial Organization," 2/12/65.

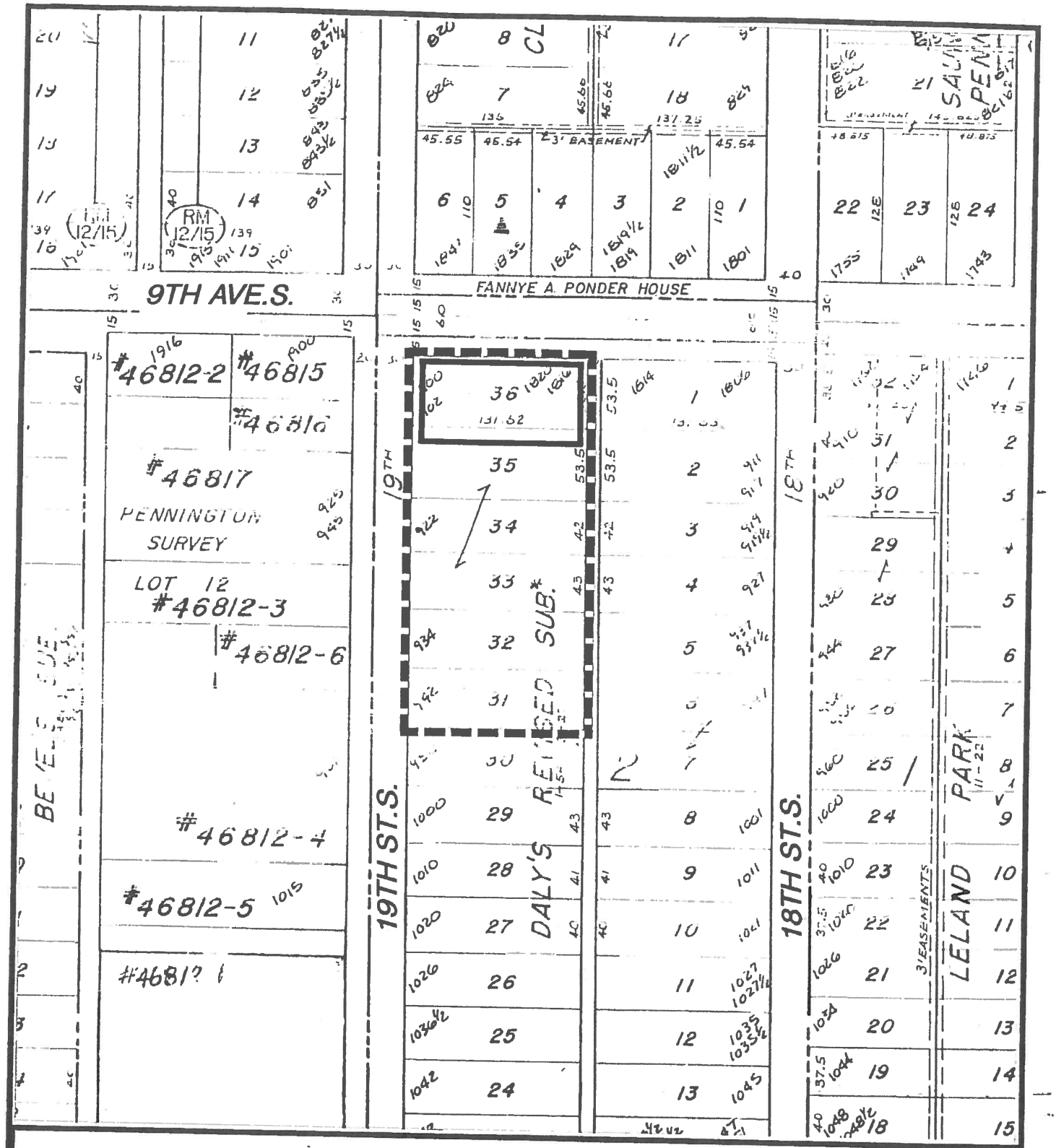
St. Petersburg Times, "Peter Perkins" Obit., 6/7/80.

St. Petersburg Times, "Lillian Ramsey still conquers obstacles courageously," 4/19/79.

St. Petersburg Times, "Expansion Dream Becomes Reality," 4/27/80.
St. Petersburg Times, "Building to Get Dr. King's Name," 5/2/68.
St. Petersburg Times, "Negro Nursery School Serves 200 Tots," 12/19/55.
St. Petersburg Times, "Happy Workers Nursery Celebrates 50 Years of Community Service," 4/25/79.
St. Petersburg Times, "Lena Reynolds, Nursing Home Owner,"Obit., 8/8/80.
St. Petersburg Times, "Former Director of Nursery Dies," 2/6/71.
St. Petersburg Times, "Kindergarten Cornerstone to be Laid Sunday," 4/21/60.
St. Petersburg Times, "Reading Group formed by Bertha Bankston," 2/1/71.
St. Petersburg Times, "Happy Workers: Built With Children in Mind," 9/30/68.
St. Petersburg Times, "Mildred E. Wyland," Obit., 4/4/78.
St. Petersburg Times, "Day Nursery Improvement Planned," 9/8/71.
Trinity Presbyterian Church, Dedication Souvenir Booklet, 1948.
WPA, Real Property Survey of St. Petersburg, Fla., 1939.

Attachments: Maps, Appendix A- Photographs, Appendix B- Exhibits, Application.

aph:c:wp\historic\landmarks\happywrk\report



DESIGNATION:

HAPPY WORKERS DAY NURSERY SITE

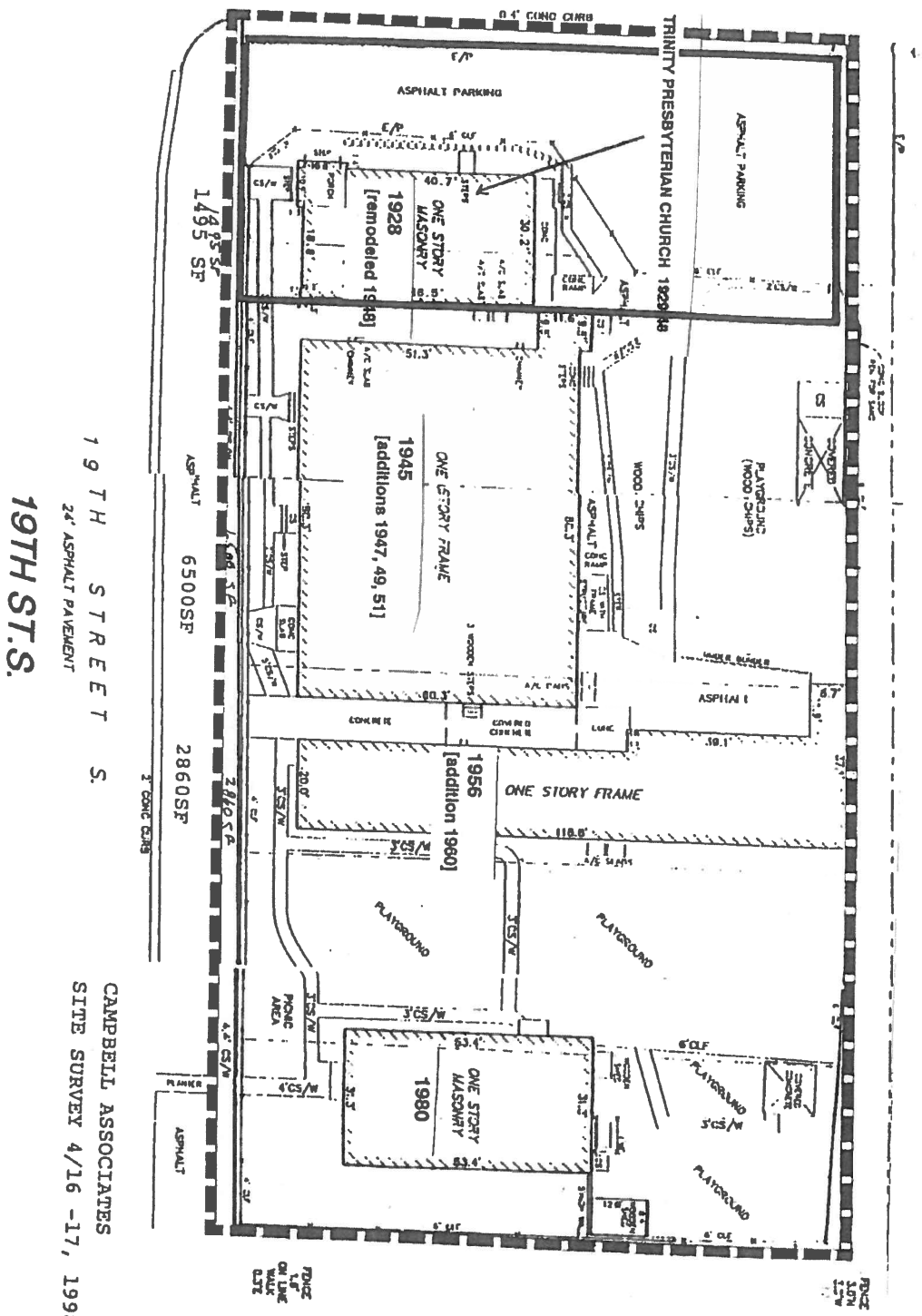
DATE: AUGUST 4, 1998

902 19TH STREET SOUTH

SCALE: 1" = 100'

HPC 98-04

AREA TO BE APPROVED, SHOWN IN [- - -]



DESIGNATION:

DATE: AUGUST 4, 1998

HAPPY WORKERS DAY NURSERY SITE

902 19TH STREET SOUTH

SCALE:

HPC 98-04

AREA TO BE APPROVED, SHOWN IN

9TH AVE.S.
9 AV S
19TH ST.S.
18TH ST.S.

I#: 2017271516 BK: 19760 PG: 759, 08/31/2017 at 08:44 AM, RECORDING 2 PAGES $18.50 D DOC STAMP COLLECTION $0.70 KEN BURKE, CLERK OF COURT AND COMPTROLLER PINELLAS COUNTY, FL BY DEPUTY CLERK: CLKDMC4

Prepared by and Return to:
Dennis G. Ruppel, Esquire
Johnson, Pope, Bokor, Ruppel & Burns, LLP
P.O. Box 1368
Clearwater, Florida 33757-1368
Telephone: 727-461-1818

STATUTORY WARRANTY DEED

THIS INDENTURE is made on Aug 29, 2017, between HAPPY WORKERS LEARNING CENTER, INC., a Florida not for profit corporation ("Grantor"), whose post office address is 920 19th Street S., St. Petersburg, FL 33712, and R'CLUB CHILD CARE, INC., a Florida not for profit corporation ("Grantee"), whose post office address is 4140 49th Street N., St. Petersburg, FL 33709.

W I T N E S S E T H:

Grantor, for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's heirs, successors and assigns forever, the following described land, situated in Pinellas County, Florida:

Lots 29, 30, 31, 32, 33, 34, 35 and 36, Block 2 of DALY'S REVISED SUBDIVISION, according to the Plat thereof as recorded in Plat Book 3, Page(s) 27, of the Public Records of Pinellas County, Florida.

Parcel ID #25/31/16/20232/002/0290 and
25/31/16/20232/002/0310

SUBJECT to applicable land use and zoning restrictions and to easements, reservations and restrictions of record, if any, which are specifically not reimposed or extended hereby, and to taxes for the year 2017 and subsequent years.

Note to Administrator: Consideration for this conveyance is $10.00.

Law Offices of
James W. Denhardt
Attorneys at Law

James W. Denhardt

Lauren Christ Rubenstein

2700 First Avenue North
St. Petersburg, Florida 33713
Telephone (727) 327-3400
Facsimile (727) 323-0888

September 27, 2017

City of St. Petersburg
Development Review Commission
P.O. Box 2842
St. Petersburg, Florida 33731

RE: **OBJECTION TO APPLICATION 17-31000006**
FOR A SETBACK VARIANCE OF 31 FEET

Dear Sirs or Madams:

On behalf of my client, Reverend Sarah Edwards, who resides at 919 18th Street South, St. Petersburg, Florida 33712, I am writing you to voice an objection to the above-referenced Application for a setback variance concerning the property located at 920 19th Street South.

The subject property, located at 920 19th Street South, is situated in a neighborhood traditional district. The neighborhood of Midtown is rich with history and tradition, and is home to many families that are second and third generation St. Petersburg residents. These families pass their homes and property down to the next generation for their use and enjoyment. The City of St. Petersburg recognizes that this area has a special character that needs to be preserved. Therefore, in 2008, this parcel and surrounding neighborhood was given the zoning designation of "NT-1." According to Section 16.20.010.2 of the City of St. Petersburg City Code:

> The purpose of the NT District regulations is to protect the traditional single family character of these neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood. The standards for each of the NT Districts are intended to reflect and reinforce their unique character.

Single family homes are the primary intended use in the NT-1 District. Other uses may be allowed, subject to compliance with standards regulating minimum lot size, building setbacks, parking and other applicable requirements. *See* Section 16.20.010.4.1 St. Petersburg City Code. The required setback for a Special Exception Requirement in the NT-1 Zoning District is 35 feet on all yards. According to the City Staff Report, the existing buildings were built 12 feet from the front property line and do not meet the required front yard setback. Now, the Applicant wishes to further encroach into its already deficient setback, to build a covered walkway. If this request should be granted, it would reduce the front yard setback to virtually zero, leaving only 4 feet between the covered walkway and the property line.

The City of St. Petersburg Municipal Code sets forth the requirements for an Application for a Variance.

> The application shall demonstrate that the existing conditions and circumstances are such that the strict application of the provisions of the Land Development Regulations would deprive the applicant of reasonable use of the land, building, or structure, equivalent to the use made of lands, buildings, or structures in the same district and permitted under the terms of this Chapter and that the peculiar conditions and circumstances are not the result of the Applicant. (Section 16.70.040.1.6.B.2)

Under Florida law, "a self-imposed or self-acquired hardship (such as by purchasing property under existing zoning and then applying for a variance) is not the kind of hardship for which a variance should be granted." *Elwyn v. City of Miami*, 113 So.2d 849, 852.

Furthermore, a legal hardship exists on a piece of land only when the zoning "renders it virtually impossible to use that land for the purpose or in the manner for which it zoned." *Hemisphere Equity v. Key Biscayne*, 369 So.2d 996, 1001.

The Applicant's justification for a variance completely contradicts the two well-established legal criteria set forth above. First, the Applicant alleges that because the zoning requiring a 35-foot setback was not in place until 2008, and the day care center has operated on this parcel since prior to 1979, the variance is justified. However, the fact that a day care center has been able to operate for over 40 years on the subject parcel, it is hard to imagine denying a variance to reduce the front yard setback to 4 feet would somehow deprive the Applicant of reasonable use of the land, building, or structure. Rather, the Applicant admits that there is reasonable use of the land which has existed for over 40 years as a day care center, with or without the requested variance for a covered walkway.

Secondly, the Applicant, R'Club Child Care, Inc., acquired the property on August 29, 2017, by a Statutory Warranty Deed. On the face of such Deed, which is attached hereto and incorporated herein, it states: "SUBJECT to applicable land use and zoning restrictions and to easements, reservations and restrictions of record, if any, which are specifically not reimposed or extended hereby, and to taxes for the year 2017 and subsequent years."

This is exactly the type of situation where new ownership has acquired the property, but wishes to continue to use exceptions and variances granted to the previous owner for their own benefit. R'Club Child Care, Inc., is a well-established not-for-profit corporation, and well educated about the existence of local codes that regulate development of property. When R'Club Child Care, Inc., chose to acquire this property, including the historic church located at the northwest corner of the property, it understood the restrictions and responsibilities that came with current zoning restrictions on the property.

The only other justification the Applicant cites for granting the specific variance for the covered walkway is that it would be prohibitively expensive and unpractical to add covered walkways on any other part of the site. Unfortunately, projects that are impractical or expensive, do not justify the granting of a variance. As stated above, the NT-1 Zoning District seeks to preserve the characteristics of the traditional single family neighborhood. While the use of the child care facility is a grandfathered use in the District, the expansion of commercial looking structures at the very front of the property line is at odds with this goal. The residences surrounding the historic church and day care facilities are accustomed to such use. They appreciate the historical significance of Trinity Presbyterian Church, and the traditional architecture that is incorporated into the other buildings the day care center utilizes. Placing a covered walkway in front of the historic church and other buildings located on the property would take away from all architectural efforts to preserve the character of the neighborhood, and instead draw the eye to the commercialized covered walkway located 4 feet from the property line.

St. Petersburg City Code also requires that the Development Review Commission's decision be guided by the following factors:

1. Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district . . . ;

2. The special conditions existing are not the result of the Applicant;

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

4. Strict application of the provisions of this chapter would provide the Applicant with no means for reasonable use of the land, building, or other structure;

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

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

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

8. The reasons set forth in the Application justify the granting of the variance.

(St. Petersburg City Code Section 16.70.040.1.6.D)

It is abundantly clear for the reasons stated above that several of these guidelines are not met. Specifically, strict application of the provisions of this chapter would not provide the Applicant with no means for reasonable use of the land, buildings, or other structures. As mentioned above, the day care facility has operated on the property for more than 40 years. It would not affect the owner's ability to continue to utilize such property as a day care facility whether or not a covered walkway is permitted to be built within 4 feet from the property line.

The variance requested is also not the minimum variance that will make possible the reasonable use of the land, building, or other structure. Again, these buildings have been used for decades for the specified use. A covered walkway, while it may be a convenience to the day care, its staff and the children, it is not a necessity for its operation as a day care facility. Furthermore, it appears to be possible to locate the covered walkway elsewhere, not in the required setback, but at a greater expense to the Applicant.

Finally, the granting of the variance is not in harmony with the general purpose and intent of St. Petersburg City Code, and would be injurious to the neighboring properties. Specifically, St. Petersburg City Code has characterized this area as a Neighborhood Traditional District, and as such, has laid out specific regulations to preserve and protect the traditional single family character of this neighborhood. The addition of the proposed walkway would detract from the traditional single family design, highlighting the commercial

nature of the day care facility, and taking away from the historic and traditional architectural designs that currently exist on the buildings located on such property.

For all the reasons stated above, I would request that the Development Review Commission deny the proposed variance for a covered walkway.

Very truly yours,

Lauren C. Rubenstein

Enclosure

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Prepared by and Return to:
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STATUTORY WARRANTY DEED

THIS INDENTURE is made on Aug 29, 2017, between HAPPY WORKERS LEARNING CENTER, INC., a Florida not for profit corporation ("Grantor"), whose post office address is 920 19th Street S., St. Petersburg, FL 33712, and R'CLUB CHILD CARE, INC., a Florida not for profit corporation ("Grantee"), whose post office address is 4140 49th Street N., St. Petersburg, FL 33709.

W I T N E S S E T H:

Grantor, for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's heirs, successors and assigns forever, the following described land, situated in Pinellas County, Florida:

> Lots 29, 30, 31, 32, 33, 34, 35 and 36, Block 2 of DALY'S REVISED SUBDIVISION, according to the Plat thereof as recorded in Plat Book 3, Page(s) 27, of the Public Records of Pinellas County, Florida.
>
> Parcel ID #25/31/16/20232/002/0290 and 25/31/16/20232/002/0310

SUBJECT to applicable land use and zoning restrictions and to easements, reservations and restrictions of record, if any, which are specifically not reimposed or extended hereby, and to taxes for the year 2017 and subsequent years.

Note to Administrator: Consideration for this conveyance is $10.00.

UNOFFICIAL COPY

Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

HAPPY WORKERS LEARNING CENTER, INC.,
a Florida not for profit corporation

By: Maria L. Scruggs
Maria Scruggs, Chairwoman

Signature
Lucida Gonzalez
Print name

Maria Climes
Signature
Maria Climes
Print name

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 29th day of Aug., 2017, by Maria Scruggs, as Chairwoman of Happy Workers Learning Center, Inc., a Florida not for profit corporation. She [is personally known to me] [has produced _____ as identification].

Karen Pandy
Notary Public
Print name Karen R. Pandy
My commission expires:

KAREN R. PANDY
MY COMMISSION # FF957131
EXPIRES: February 03, 2020

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

DEVELOPMENT REVIEW COMMISSION
STAFF REPORT

SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Economic Development Department records, **no Commission member** 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **October 4, 2017 at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.:	17-32000020	PLAT SHEET:	J-9
REQUEST:	Approval of a Special Exception and related Site Plan to allow construction of a 125-foot high wireless communication monopole tower.		
OWNER:	Victor Hysni 5102 29th Avenue South Saint Petersburg, Florida 33707-5606		
APPLICANT:	APC Towers, LLC Mattaniah S. Jahn, Esq. 800 Tarpon Woods Boulevard #E-1 Palm Harbor, Florida 34685		
ADDRESS:	3341 17th Avenue South; 26-31-1-89676-004-0140		
LEGAL DESCRIPTION:	On File		
ZONING:	Corridor Commercial Suburban-1 (CCS-1)		
SITE AREA TOTAL:	8,449 square feet or 0.19 acres		
GROSS FLOOR AREA:			
Existing:	0 square feet	0 F.A.R.	
Proposed:	1,148 square feet	0.14 F.A.R.	
Permitted:	4,647 square feet	0.55 F.A.R.	

BUILDING COVERAGE:

Existing:	0 square feet	0 % of Site MOL
Proposed:	1,148 square feet	14 % of Site MOL

IMPERVIOUS SURFACE:

Existing:	0 square feet	0 % of Site MOL
Proposed:	1,148 square feet	14 % of Site MOL
Permitted:	0.85 square feet	85 % of Site MOL

OPEN GREEN SPACE:

Existing:	8,449 square feet	100 % of Site MOL
Proposed:	5,087 square feet	60 % of Site MOL

PAVING COVERAGE:

Existing:	0 square feet	0 % of Site MOL
Proposed:	0 square feet	0 % of Site MOL

PARKING:

Existing:	0; including 0 handicapped spaces
Proposed:	1; including 0 handicapped spaces
Required	1; including 0 handicapped spaces

BUILDING HEIGHT: (of proposed monopole):

Existing:	0 feet
Proposed:	125 feet
Permitted:	150 feet

APPLICATION REVIEW:

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.50.480.3.D.2. of the Municipal Code for a Wireless Communications Support Facility that is located within 250 feet of a lot used for a residential use which requires a review as a Special Exception use in the CCS-1 Zoning District.

II. **DISCUSSION AND RECOMMENDATIONS:**

The Request: The applicant seeks approval to erect a new 125 foot tall wireless communication support facility (WCSF) on the subject property.

Background: The subject property is located at the northeast corner of 34th Street South and 17th Avenue South, in the Thirty-First Street neighborhood, see Exhibit 1, Aerial Location Map. The existing property is a vacant lot. Surrounding land uses include a hotel to the north, a single-family home to the east, an office to the south, vacant commercial property and a plant nursery on the west side of 34th Street.

Current Proposal: The proposed 125-foot high unipole will have the capability of accommodating the antennae of five (5) separate service providers. The related electronic equipment would be located in separate accessory structures at the base of the monopole, within a fenced compound. The fenced compound area will be approximately 40 feet wide by 82 feet in length. The applicant proposes to construct a WCSF "Unipole" with all antennas internal to the monopole.

The applicant is proposing that the compound area be surrounded by an eight (8) foot high solid PVC fence. The applicant also proposes landscaping around the perimeter of the property consisting of eight live oaks and dwarf holly shrubs. Exhibit 2 includes the proposed site plan, elevation, fence plan, landscape plan and example photo.

General Evaluation Criteria.

City Code Section 16.50.480.3(A) sets forth the general criteria for evaluating proposals to construct new WCSFs. Staff responses to each of the criteria are provided below. The applicant has also provided responses to each of the general evaluation criteria in the attached document, see attached Exhibit 3.

1. *WCSFs shall be constructed in compliance with the Building Code.*

   The applicant advises the WCSF will be constructed in compliance with all applicable local building code regulations, see attached Exhibit 3.

2. *WCSFs shall comply with all applicable Federal Aviation Administration requirements.*

   The applicant has provided a "Determination of No Hazard" form from the FAA, see Exhibit 3.

3. *The WCSF shall not be used for advertising purposes and all signage or symbols are prohibited.*

   The applicant advises the WCSF will not be used for advertising purposes and will not contain any signage thereon other than signage required for warning purposes.

4. *WCSFs shall meet all requirements of the Zoning District that are not in conflict with these regulations.*

   The proposed WCSF is the principal use of the site and complies with the CCS-1 requirements.

5. *A WCSF may be located on a lot containing other principal uses. In such cases, the area within which the WCSF is located shall be defined by landscaping or, where landscaping is not required, by fencing. The area may be smaller than the minimum lot size of the applicable zoning district.*

   There subject parcel is vacant, and there are no other uses proposed.

6. *If a WCSF is located on a lot as the only principal permitted use, the minimum lot size shall be 5,000 square feet with a minimum lot width of 50 feet.*

   The subject parcel exceeds these minimum requirements, see Exhibit 2, Site Plan.

7. *Minimum yard requirements shall be measured from the lot boundary to the nearest point of the WCSF or the accessory equipment storage area, whichever is closer to the lot boundary.*

   The proposed WCSF and storage structures meet the required setbacks of the CCS-1 zoning district, measured from the lot boundary. The required rear yard, to the north is 20-feet, and the compound is 20.5 feet. The required interior setback

to the east is 25-feet, and the compound is 25.5 feet. The required street setbacks to the south and west are 10-feet, and the compound is 10.5 feet from these property lines, see Exhibit 2, Site Plan.

8. *WCSFs shall have a landscaped buffer so that the base of the WCSF and accessory equipment storage area shall be screened from view from any right-of-way, residential use or residential zoning district. Such landscaped buffer shall consist of hedges planted leaf to leaf which shall reach a height of not less than six feet at maturity and shade trees of at least three inches dbh planted every 30 feet along the approved buffer unless safety requirements of the principal use require otherwise (i.e. utility substations).*

The applicant has provided a landscape plan which meets the minimum requirements for the number of trees and shrubs, except for the size of the oak trees (2" shown, 3" required) and the distance between shrubs which is addressed in the conditions of approval. The applicant proposes live oaks a minimum of ten (10) feet in height at the time of planting and a holly shrub a minimum of 24" in height at the time of planting, see Exhibit 2, Landscape Plan.

9. *The construction of the WCSF shall be of monopole design unless it can be demonstrated that such design is not feasible to accommodate the user or co-location.*

The applicant is proposing a monopole.

10. *The application shall contain information showing the geographic search area within which the proposed WCSF must be located and shall also provide locations of all structures of similar height within and adjacent to the search area.*

The applicant has provided an RF map from T-Mobile which shows the weak coverage in the area surrounding the proposed monopole. The search area was near the center of the weak coverage area in order to increase coverage as much as possible. The applicant provided also an RF analysis showing why two other existing structures would not address the coverage need, see Exhibit 3 for applicants exhibits and documents.

11. *If co-location or location as a permitted accessory use is not proposed, then the applicant must demonstrate in the application as to why co-location or location as a permitted accessory use is not possible.*

The applicant provided an RF analysis showing why two other existing structures would not address the coverage need, see Exhibit 3 for applicant's exhibits and documents.

12. *WCSFs shall not have a shiny or reflective finish.*

The applicant indicates the proposed WCSF will have a dull grey galvanized finish, see Exhibit 3.

13. *The applicant shall provide such financial assurances to the City as the City may reasonably require which shall insure the payment of the cost of removal of the WCSF when abandoned (for example: letter of credit, bond, cash held by the City).*

The applicant indicates a willingness to provide financial assurances to the City as the City may reasonably require, pending approval of this application and prior to issuance of a building permit.

Evaluation Criteria for all New WCSFs, except replacement WCSFs.

City Code Subsection 16.50.480.3 (C) sets forth the additional criteria for evaluating proposals for new WCSFs. Staff's responses to each of the criteria are provided below. The applicant has also provided responses to each of the criteria. (See attached narrative, Exhibit 3)

1. *A new WCSF shall not be approved unless it can be demonstrated by the applicant that there is no existing WCSF or no other structures or replacement of an existing WCSF that can be used for the placement of the WCA. Information concerning the following factors, which shall be provided by the applicant, shall be considered in determining that such need exists:*
   a. *Insufficient structural capacity of existing WCSFs or other suitable structures and infeasibility of reinforcing or replacing an existing WCSF;*
   b. *Unavailability of suitable locations (including other sites within the zoning districts listed in columns B and C of the Use Matrix for WCSFs) to accommodate system design or engineering on an existing WCSF or other structures;*
   c. *Radio frequency interference or other signal interference problems at existing WCSF or other structures;*
   d. *A comparative evaluation (which may include cost studies) for the placement of a new WCSF versus the utilization of existing WCSFs, other structures (such as buildings or power transmission poles), the availability of alternative technologies or the placement of multiple smaller height WCSFs as alternatives to provide the same level of service. However, the fact that the use of an existing WCSF or other structure would cost more than the cost of constructing a new WCSF will not, absent other factors, justify approval;*
   e. *Other factors which demonstrate the need for the new WCSF.*

The applicant provided an RF analysis showing why two other existing structures would not address the coverage need, see Exhibit 3 for applicant's exhibits and documents.

2. *The applicant shall include a statement in the application of its good faith intent to allow the co-location of the WCA of other entities, provided that the cost of modifying the WCSF to accommodate the co-location WCA is borne by the co-locating entity.*

The applicant has provided an affidavit regarding the intent to allow co-location, see Exhibit 3.

3. *The applicant shall send a written notice to all potential users of the new WCSF offering an opportunity for co-location. The list of potential users shall be provided by the City based on those entities who have requested approval of WCSF in the past, current FCC license holders and any other entities requesting to be included on the list. Copies of the notice letters shall be provided to the City at the time the application is filed. If, during a period of 30 days after the notice letters are sent to potential users, a user or users*

request, in writing, to co-locate on the new WCSF, the applicant shall accommodate the request(s), unless co-location is not reasonably possible.

The applicant has provided copies of the email correspondence sent to Sprint, Verizon and AT&T offering an opportunity for co-location at the proposed WCSF, see Exhibit 3.

4. *WCSFs shall not exceed 150 feet in height. WCSFs over 100 feet in height shall be designed for co-location of at least one other WCA*

The applicant is requesting to construct a 125 foot tall monopole. The monopole will be designed to accommodate up to five (5) carriers.

5. *WCSFs shall meet all General Criteria.*

As previously discussed, the application meets all the General Criteria provided under Section 16.50.480.3(A).

6. *The installation of a WCSF in any zoning district listed in Column C of the Use Matrix for WCSFs must be reviewed by the POD prior to installation. The POD shall review all such WCSFs and shall approve such WCSFs that meet the requirements of this section. Such review by the POD shall be without notice.*

The proposed WCSF is located within a zoning district listed in Column C of the Use Matrix for WCSFs. However, because it is within 250-feet of a residential use in the CRT zoning to the east, the Special Exception permit is required.

Additional criteria for Special Exception review of new WCSFs, except replacement WCSFs.

City Code Subsection 16.50.480.3 (D) sets forth the additional criteria for special exception review for new WCSFs. Staff's responses to each of the criteria are provided below. The applicant has also provided responses to each of the criteria. (See attached narrative, Exhibit3)

1. *WCSFs shall meet all General and Review Criteria.*

The proposed WCSF will meet all General and Review Criteria, as shown on the plans with the recommended conditions of approval.

2. *WCSFs which are located within 250 feet of a lot used for a residential use in the zoning districts listed in Column C of the Use Matrix for WCSFs as measured from the base of the WCSF, or located on a designated landmark or within a local or National Register historic district shall be Special Exception uses subject to review and approval by the Development Review Commission.*

This application is for Special Exception approval due to its proposed location within 250 feet of a residential use in the CRT zoning, to the east.

3. *WCSFs in the zoning districts listed in Column A of the Use Matrix for WCSFs shall be located on lots of not less than four acres.*

This criterion is not applicable, as the WCSF is in a zoning district listed under Column C.

4. *WCSFs in the zoning districts listed in Column A of the Use Matrix for WCSFs shall be located only on property which is owned and used as a principal permitted use by:*
   - *a. A federal, state or local government entity*
   - *b. A school, college or university*
   - *c. A utility company*
   - *d. A church*
   - *e. A cemetery*
   - *f. A club, including community service and fraternal clubs*
   - *g. A golf course and associated facilities*
   - *h. A hospital*
   - *i. A property owners association on a site in an NSM zoning district*
   - *j. Other such entities on properties not used for a residential use*

   This criterion is not applicable, as the WCSF is in a zoning district listed under Column C.

5. *If the WCSF is not entirely surrounded by commercial or industrial uses, a written justification of the need for this site showing why other sites are not reasonable.*

   There is residential use to the east. The applicant has not provided sufficient justification to demonstrate that other sites are not reasonable.

   The applicant submitted a letter stating that they analyzed non-residential sites within the search ring, see applicant's letter dated August 15, 2017 and exhibits from James McNicol, provided in Exhibit 3. Sites outside the ring including Rent A Wheel, USA Fence and Ayesworth were deemed too close to existing towers. The applicant further stated that they reached out and received no response from other property owners along the 34th Street South corridor. The CCT properties on the south side of the search ring were not contacted.

   Staff further analyzed the commercial zoning within the search ring, see the Staff Alternative Analysis exhibits, provided in attached Exhibit 4. Exhibit 1 shows the same map area, with the CCS-1, CRT-1 and CCT-1 commercial zonings noted which all allow wireless communication towers. Exhibit 2 shows the CCT zoning at the southern edge of the search ring, and there do appear to be options that were not evaluated based on the letter provided by the applicant. The vacant site on the western side of the search ring (labeled #1) should have been considered, as there would have been ample room to place the tower and still provide a greater setback to residential. Another option would have been the location on the east (labeled #2), with commercial uses on both sides and a church to the north. Many of the other commercial sites in this vicinity do not appear to have sufficient space to accommodate a compound. The commercial sites on the south side of 18th Ave S have residential behind and are substantially built out.

   Exhibit 3 shows the CCS and CRT zoning along the northwestern side of the search ring. There do appear to be options that were not evaluated based on the letter provided by the applicant. The commercial sites labeled #1 and #2 should have been considered, as there would have been room to place the tower and still provide a greater setback to residential.

   Exhibit 4 shows the CCS and CRT zoning along the southwestern side of the search ring. There do appear to be options that were not evaluated based on the letter provided by the applicant. The commercial sites labeled #1 -#3 should have

been considered, as there would have been room to place the tower and still provide a greater setback to residential.

In response to staff's alternative analysis, the applicant submitted a revised letter on September 19th, dated September 15, 2017 and "Ring Zoning Justification Package" from James McNicol, provided in Exhibit 3. The applicant responded that none of the alternative sites identified by staff were viable for a number of reasons. The applicant's analysis of each alternative site and staff's response is provided below.

Exhibit 2, Site 1:
Applicant's analysis: "This Parcel belongs to the State of Florida Internal Improvement Trust. The Internal Improvement Trusts typically reserves property under its ownership for public use or environmental purposes and usually will not lease its properties for use as cell towers. Based on this issue, this is not a site that I would recommend my client pursue."

Staff's response: Staff finds that this response does not meet the criteria to show why this site is not reasonable and recommends that the applicant contact this owner to verify that this site is not viable.

Exhibit 2, Site 2:
Applicant's analysis: "This Parcel belongs to New Mt. Olive Primitive Church. There are very few locations on this parcel that are not already being used for Parking and/or retention. There was one area that might allow for a very small compound, which would reduce the Unipole's capacity to collocate additional uses in the future, area but even that would require the removal of at least one established tree. This one area also is right next to an area that appears to be used for the storage and maintenance of heavy commercial vehicles. This would likely cause Environmental issues for my client which could significantly lower their chances of receiving NEPA Approval from the FCC for the site. Based on these issues this is not a site I would recommend my client pursue."

Staff's response: Staff agrees that the parcels to the west side of the block along 18th Ave. South owned by Lucius Bryant appear to be used for outside storage, however, the environmental concerns raised by the applicant are not sufficient justification to demonstrate why this site is not reasonable. Staff agrees that the New Mt. Olive Primitive Church site does not appear to have sufficient space for a compound as there is approximately 35-feet between the building and the property to the west. See photo exhibits provided in attached Exhibit 4.

Exhibit 3, Site 1:
Applicant's analysis: "This property belongs to the Florida Department of Transportation. The FDPT currently has a master agreement in place with American Tower that would prevent them from entering into an agreement with my client. As such this location would not be viable for our site."

Staff's response: Staff finds that this response does meet the criteria to show why this site is not reasonable.

Exhibit 3, Site 2:
Applicant's analysis: "This Property belongs to Fred D. LeClair, this is a parcel that has been used for the storage and Maintenance of commercial vehicles and as such would likely cause Environmental issues for my client that could place their NEPA Approval form the FCC for this site at risk. Based on this Environmental Issue I would not recommend my client pursue this site."

Staff's response: Staff agrees that the parcels appear to be used for outside storage, however, the environmental concerns raised by the applicant are not sufficient justification to demonstrate why this site is not reasonable. See photo exhibits provided in attached Exhibit 4.

Exhibit 4, Sites 1-3:
Applicant's analysis: "These Parcels all belong to AMI-VIDHA, LLC and is operating as the Sundaze Motel. Early on in my search I did reach out to the Sundaze Motel and discussed the possibility of a site on their property. They never got back to me and I moved on to other sites."

Staff's response: Staff finds that this response does meet the criteria to show why this site is not reasonable.

6. *WCSFs proposed to be located on a historic landmark or in a designated local or National Register historic district shall be denied if the WCSF creates a detrimental impact on the historic character of the historic landmark or district.*

No historic landmarks or districts are involved in this application.

7. *The POD may require a visual line-of-site analysis to assess impacts of the WCSF. Such analysis may require the applicant to provide visualization of the WCSF on-site which may include graphic representations, balloons, crane or other acceptable method.*

The application includes a photo of a unipole similar to the one proposed for the subject site if approved and constructed, see Exhibit 2.

8. *The review shall consider the comparative evaluation provided by the applicant of alternative methods (placement of a new WCSF versus other alternatives) or alternative site to accomplish the same level of service and shall evaluate the impacts on surrounding properties (including the impact of multiple WCSFs within proximity of the subject application).*

The applicant states that there are no other structures of suitable height or other WCSFs in the area to place an antenna, see Exhibit 3.

9. *The review of WCSFs in the zoning districts listed in Column A of the Use Matrix for WCSFs or within 250 feet thereof shall include but not be limited to whether impacts on the surrounding residential properties need to be minimized through additional setbacks, buffering, tower appearance and other visual impacts.*

Staff is requiring that an 8-foot high solid PVC fence be constructed with landscaping and that the pole be a "unipole" with no visible antennas or wiring.

Analysis:
The proposed WCSF does not comply with the regulations set forth in City Code Section 16.50.480 regarding wireless communications facilities. Regarding the technical need for a new WCSF, the applicant has provided data responding to the City Code criteria regarding the current service level and lack of ability to co-locate on an adjacent structure or existing WCSF. Regarding minimizing adverse impact, the applicant has provided a landscape plan for the compound that includes an at least eight (8) foot high opaque fence. The applicant has also proposed large landscaping material and strategic placement to help screen the right-of-way and the adjacent single-family residences. Regarding the analysis of alternative sites required due to the existing single-family residential uses abutting the parcel to the east, Staff finds that the applicant has not provided sufficient written justification showing why other sites are not reasonable.

Public Comments:
Staff received a call and subsequent letter from the president of the 31st Street Neighborhood Association objecting to the application. Staff received an email and met with the property owner to the north, who expressed concerns regarding loitering on the subject property, and concerns regarding diminishment of property value. Copies of correspondence are attached as Exhibit 6.

RESPONSES TO RELEVANT CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

Staff finds that the proposed Special Exception is consistent with the Comprehensive Plan policies and objectives.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

The Future Land Use classification is Planned Redevelopment – Mixed Use which allows a wireless communication support facility use.

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

The access will be from the platted alley to the north. There will be no new demand for additional public services. The number of vehicles servicing the tower facilities will be minimal. The applicant estimates that there will be one service vehicle per carrier per month. The Transportation Department reviewed the application and had no comments, see attached email correspondence, included as Exhibit 5.

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

There were no concerns expressed by the Transportation Division in their correspondence, attached as Exhibit 5.

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

As previously noted, the wireless communication facility use will add a minimal number of additional vehicular trips to the site and access will be from the alley to the north.

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

The proposed development will be required to comply with the applicable stormwater requirements at time of permitting. An Engineering Department memo dated August 8, 2017 is attached as Exhibit 5 detailing such requirements.

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

There will be no exterior lighting, see Exhibit 3.

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

The equipment buildings will be located within the fenced compound, and screened from view of surrounding streets and properties with landscaping. Staff is suggesting modifications to the proposed fencing as a condition of approval.

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

There are no such resources within the vicinity of the proposed improvements. Existing protected trees will be preserved.

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

There are no other similar facilities in the area, therefore there is no concentration of similar use.

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

There is not a concentration of similar uses in the area.

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

As previously noted, the proposed compound will be surrounded by a landscape buffer to screen it from view of the surrounding streets and properties.

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

As shown on the site plan, there is ample area to place the proposed improvements, see Exhibit 2.

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

Existing landscaping and protected trees are to remain, and additional landscaping will be provided.

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070)

2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050). Equipment and enclosures will be designed as required by the Florida Building Code.

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

The proposed improvements do not impact demand for hurricane facilities.

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service.

The modification will not add demand for additional public services.

The future land use classification of the subject property is: Planned Redevelopment-Residential (PR-R)

The land uses of the surrounding properties are:

North:	**Commercial**
South:	**Commercial**
East	**Residential**
West:	**Commercial**

In conclusion, staff finds that the Special Exception and related site plan are not consistent with the standards for review as listed above. If the Commission approves the request, staff is recommending special conditions as follows:

A. SPECIAL CONDITIONS OF APPROVAL:

1. **This Special Exception/Site Plan approval shall be valid through October 4, 2020. Substantial construction shall commence 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.**
2. **The monopole shall be galvanized grey in color.**
3. **All antennas and equipment shall be located on the interior of the pole.**
4. **The live oak trees shall be a minimum of 3" at planting as required, and the shrubs shall be planted in compliance with Section 16.16.40.060 (leaf to leaf).**
5. **An 8-foot high solid PVC fence shall be provided around the perimeter of the equipment compound.**
6. **The applicant shall install an irrigation system or provide a watering program acceptable to the POD at the time of permitting.**
7. **No ground equipment shall be visible above the fence line.**
8. **The applicant shall provide the required financial assurance to the City to ensure removal of the WCSF when abandoned, prior to issuance of a building permit.**
9. **Any proposed security lighting within the compound shall not be visible from outside the security fence.**
10. **Plans shall be revised as necessary to comply with comments provided by the City's Engineering Department memorandum dated August 8, 2017.**

B. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.

3. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).

4. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

5. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."
2. Any plans for tree removal and permitting shall be submitted to the Development Review Services Division for approval.
3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.
4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.
5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.
6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.
7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

REPORT PREPARED BY:

Elizabeth Abernethy 9-28-17

Elizabeth Abernethy, AICP, Zoning Official (POD) DATE
Planning and Economic Development
Development Review Services Division

List of Exhibits:
Exhibit 1: Aerial Location Map and Site Photo
Exhibit 2: Site Plan, Monopole Photo
Exhibit 3: Project Narrative and Applicant's Exhibits
Exhibit 4: Staff Alternative Analysis Exhibits
Exhibit 5: Engineering Memo dated August 8, Transportation Department Correspondence
Exhibit 6: Correspondence

Exhibit 1

Case #17-32000020

Aerial Location Map & Photo

st.petersburg
www.stpete.org

City of St. Petersburg, Florida
Development Review Services
Case No.: 17-32000020
Address: 3341 17th Avenue South

N

(nts)

Exhibit 2

Case #17-32000020

Site Plans, Monopole Photo

APC Towers

SITE NAME:

HYSNI

SITE NUMBER:

FL-1473 (A2H0322)

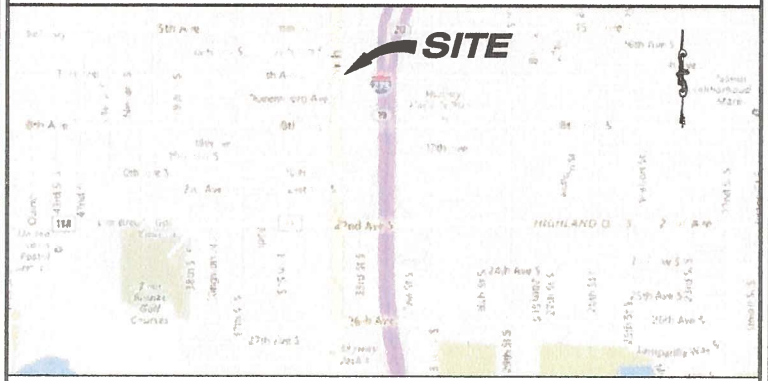
34TH ST. S
ST. PETERSBURG, FL 33712

PROPOSED 125' UNIPOLE

PROJECT SUMMARY

SITE NAME:	HYSNI
SITE NUMBER:	FL-1473 (A2H0322)
SITE ADDRESS:	34TH ST. S ST. PETERSBURG, FL 33712
JURISDICTION:	CITY OF ST. PETERSBURG
TOWER OWNER:	APC TOWERS LLC 3000 AERIAL CENTER PARKWAY, SUITE 110 MORRISVILLE, NC 27560
CONTACT:	MICHAEL SHORT (919) 324-1943
NAD83	
LATITUDE: LONGITUDE:	27° 45' 13.70" N 82° 40' 44.85" W
CUSTOMER/APPLICANT:	APC TOWERS LLC 3000 AERIAL CENTER PARKWAY, SUITE 110 MORRISVILLE, NC 27560 (919) 324-1943
OCCUPANCY TYPE:	UNMANNED
A.D.A. COMPLIANCE:	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION

LOCATION MAP



NO SCALE

DRAWING INDEX

SHEET #	SHEET DESCRIPTION	REV. #
T-1	TITLE SHEET	0
GN-1	GENERAL NOTES	0
GN-2	GENERAL NOTES	0
-	SURVEY	6/12/17
C-1	MASTER SITE PLAN	0
C-2	PROPOSED IMPROVEMENTS	0
C-3	TOWER ELEVATION	0
C-4	ENGINEERING DETAILS	0
C-5	FENCE DETAILS	0
E-1	UTILITY ROUTING PLAN	0
E-2	UTILITY RACK ELEVATIONS	0
E-3	UTILITY DETAILS	0
G-1	GROUNDING PLAN AND DETAILS	0
L-1	LANDSCAPING PLAN	0
L-2	LANDSCAPING DETAILS	0

DESIGN INFORMATION

A&E FIRM:	B+T GROUP 840 E. McKELLIPS ROAD, BUILDING 2, SUITE 108 MESA, AZ 85203 GERALD MULDOWNEY, P.E. (352) 215-9100	ELECTRIC PROVIDER:	PROGRESS ENERGY (800) 700-8744
		TELCO PROVIDER:	VERIZON (855) 483-3000
SURVEYOR:	STONECYPHER SURVEYING INC. 1225 NW 16TH AVENUE GAINESVILLE, FL 32601 (352) 379-0948	RECLAIMED WATER PROVIDER:	ST. PETERSBURG UTILITIES (727) 892-5111

DRIVING DIRECTIONS

FROM ST. PETERSBURG/CLEARWATER INTERNATIONAL AIRPORT:

DEPART AIRPORT PKWY TOWARD SR-686 W / ROOSEVELT BLVD 512 FT
TURN LEFT ONTO SR-686 E / ROOSEVELT BLVD 1.7 MI
TAKE RAMP RIGHT FOR SR-686 EAST TOWARD ST. PETERSBURG 1.3 MI
TAKE RAMP RIGHT FOR I-275 SOUTH TOWARD ST PETERSBURG 9.8 MI
AT EXIT 19, TAKE RAMP RIGHT FOR 22ND AVE S TOWARD GULFPORT 0.3 MI
TURN RIGHT ONTO 22ND AVE S, AND THEN IMMEDIATELY TURN RIGHT ONTO US-19 N / 34TH ST S 0.4 MI
ARRIVE AT SITE ON RIGHT

A/E DOCUMENT REVIEW STATUS

TITLE	SIGNATURE	DATE
APC TOWERS PROP:		
APC TOWERS CONST. MGR.:		
INTERCONNECT:		
APC TOWERS SITE DEV. MGR.:		
PROPERTY OWNER:		

STATUS CODE:

1		ACCEPTED: WITH OR NO COMMENTS, CONSTRUCTION MAY PROCEED
2		NOT ACCEPTED: RESOLVE COMMENTS AND RESUBMIT

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND MAY IMPOSE CHANGES OR MODIFICATIONS.

CODE COMPLIANCE

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

CODE TYPE	CODE
BUILDING/DWELLING	FBC 2010
STRUCTURAL	FBC 2010
MECHANICAL	FMC 2010
ELECTRICAL	NEC 2008

PROJECT DESCRIPTION

THE PROPOSED PROJECT INCLUDES:

- CONSTRUCT (1) NEW 125' UNIPOLE.
- INSTALL NEW COMPOUND WITH 8' VINYL FENCE.
- INSTALL POWER AND TELCO UTILITIES & NEW GROUNDING SYSTEM

DO NOT SCALE DRAWINGS

ALL DRAWINGS CONTAINED HEREIN ARE FORMATTED FOR 11X17. CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

SEE SHEET GN-1 & GN-2 FOR ADDITIONAL CONSTRUCTION NOTES

CALL FLORIDA ONE CALL
(800) 432-4770
CALL 3 WORKING DAYS
BEFORE YOU DIG!

B+T GRP

APC Towers
3000 AERIAL CENTER PARKWAY, SUITE 110
MORRISVILLE, NC 27560
PH: (919) 324-1943

T-Mobile

FL-1473 (A2H0322)
HYSNI
34TH ST. S
ST. PETERSBURG, FL 33712
PROPOSED UNIPOLE

SCALE VERIFICATION
BAR IS ONE INCH ON ORIGINAL DRAWING. 0 — 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

SCALE: N.T.S.

PROJECT NO:	113369
CHECKED BY:	GAM

ISSUED FOR:

REV	DATE	DRAWN	DESCRIPTION
0	8/10/17	MET	ZONING

JOHN W. KELLY
LICENSED
PROFESSIONAL ENGINEER
B+T GROUP ENGINEERING, INC.
1917 S. BOULDER AVENUE
TULSA, OK 74119
COA: 27496 Expires 2/28/19
No. 66194
STATE OF FLORIDA
8/15/2017

SHEET NUMBER:	REVISION:
T-1	0

ELECTRICAL NOTES:

1. SCOPE:
   PROVIDE LABOR, MATERIALS, EQUIPMENT, ETC., REQUIRED TO COMPLETE THE INSTALLATION SHOWN ON THE DRAWINGS.

2. CODES AND STANDARDS:
   INSTALLATION SHALL COMPLY WITH APPLICABLE LAWS AND ORDINANCES, UTILITY COMPANY REGULATIONS AND APPLICABLE REQUIREMENT OF LATEST EDITIONS
   A. NFC– NATIONAL FIRE CODE
   B. UL– UNDERWRITERS LAB
   C. NEC– NATIONAL ELECTRIC CODE
   D. NEMA– NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION
   E. OSHA– OCCUPATIONAL SAFETY AND HEALTH ACT
   F. SBC– STANDARD BUILDING CODE

3. PERMITS:
   OBTAIN AND PAY FOR REQUIRED PERMITS, LICENSES, FEES, INSPECTIONS, ETC.

4. COORDINATION:
   COORDINATE WORK WITH OTHER TRADES.

5. SUBMITTALS:
   SUBMIT BROCHURES FOR APPROVAL ON SERVICE DISCONNECTION MEANS AND OTHER MAJOR SYSTEM COMPONENTS.

6. EXISTING SERVICES:
   DO NOT INTERRUPT EXISTING SERVICE WITHOUT WRITTEN PERMISSION OF THE OWNER.

7. EQUIPMENT:
   CONNECT ELECTRICALLY OPERATED EQUIPMENT.

8. RECORD DRAWINGS:
   MAINTAIN A RECORD OF ALL CHANGES & SUBSTITUTIONS BETWEEN WORK AS SPECIFIED AND INSTALLED. RECORD CHANGES ON A CLEAN SET OF CONTRACT DOCUMENTS WHICH SHALL BE TURNED OVER TO THE CONSTRUCTION MANAGER UPON COMPLETION OF THE PROJECT.

9. IDENTIFICATION:
   IDENTIFY SERVICE DISCONNECTING MEANS WITH PERMANENT NAMEPLATE.

10. GUARANTEE/WARRANTY:
    GUARANTEE INSTALLATION TO BE FREE OF DEFECTS, SHORTS, GROUNDS, ETC., FOR A PERIOD OF ONE YEAR. FURNISH WARRANTY SO THE DEFECTIVE MATERIAL AND/OR WORKMANSHIP WILL BE REPAIRED IMMEDIATELY UPON NOTIFICATION AT NO EXTRA COST TO THE OWNER FOR PERIOD OF WARRANTY.

1 . CUTTING AND PATCHING:
    PROVIDE CUTTING REQUIRED TO DO THE WORK, DO NOT CUT MAJOR STRUCTURAL ELEMENTS WITHOUT APPROVAL. PATCHING SHALL BE OF QUALITY EQUAL TO AND OF MATCHING APPEARANCE WITH EXISTING CONSTRUCTION.

12. DITCHING AND BACKFILL:
    PROVIDE FOR ALL UNDERGROUND INSTALLED CONDUIT AND/OR CABLES.

13. RACEWAYS:
    UNDERGROUND CONDUIT SHALL BE SCHEDULE 40 PVC CONDUIT (MEET NEMA TC2–1990). EXPOSED CONDUIT SHALL BE RIGID GALVANIZED STEEL CONDUIT BEFORE RISING ABOVE GRADE IN AREAS SUBJECT TO DAMAGE. PLUG AND CAP EACH END OF SPARE AND EMPTY CONDUITS AND PROVIDE TWO SEPARATE PULL STRINGS–200 LB. TEST POLYETHYLENE CORD. ALL CONDUIT BENDS SHALL BE A MINIMUM OF 24" RADIUS. RGS CONDUITS, WHEN SPECIFIED, SHALL MEET UL–6 FOR GALVANIZED STEEL. ALL FITTINGS SHALL BE SUITABLE FOR USE WITH THREADED RIGID CONDUIT.

14. SUPPORTS:
    AS REQUIRED By THE NEC.

15. CONDUCTORS:
    USE 98% CONDUCTIVITY COPPER WITH TYPE XHHW–2 INSULATION, 600 VOLT, COLOR CODED USE SOLID CONDUCTORS FOR WIRE UP TO AND INCLUDING #8 AWG. USE STRANDED CONDUCTORS FOR WIRE ABOVE #8 AWG.

16. CONNECTORS FOR POWER CONDUCTORS:
    USE PRESSURE TYPE INSULATED TWIST–ON CONNECTORS FOR #10 AWG AND SMALLER USE SOLDERLESS MECHANICAL TERMINAL LUGS FOR #8 AWG AND LARGER.

17. SERVICE:
    240 120V, SINGLE PHASE, 3 WIRE CONNECTION AVAILABLE FROM UTILITY COMPANY COORDINATE AND PAY ALL FEES.

18. TELEPHONE SERVICE:
    PROVIDE EMPTY CONDUITS WITH PULL WIRES AS INDICATED ON DRAWINGS.

19. UTILITY FRAME METER CENTER:
    (AS REQUIRED) PROVIDED BY OWNER, INSTALLED BE CONTRACTOR. HE ELECTRICAL DESIGN ON THESE DRAWINGS IS BASED ON A METER CENTER CONFIGURED AS FOLLOWS:
    A. A NEMA 3R ENCLOSURE, MOUNTED ON THE FRONT SIDE OF AN EQUIPMENT FRAME INCORPORATING 120/240V, 200A METER SOCKETS AND CIRCUIT BREAKER HOUSINGS. EACH METER/CIRCUIT BREAKER COMBINATION SHALL PROVIDE SERVICE TO ONE (1) CARRIER (OR TOWER LIGHTING AS REQUIRED). METERS ARE TO BE PROVIDED BY LOCAL POWER COMPANY.
    B. TOWERS REQUIRING FAA LIGHTING SHALL BE ALLOCATED ONE METER SOCKET AND CIRCUIT BREAKER HIOUSING IN THE METER BANK. CIRCUIT BREAKER TO BE SIZED AS REQUIRED FOR TOWER LIGHTING EQUIPMENT. METER IS TO BE PROVIDED BY LOCAL POWER COMPANY.

GENERAL GROUNDING NOTES:

1. SITE GROUNDING SHALL COMPLY WITH GROUNDING STANDARDS, LATEST EDITION AND COMPLY WITH GROUNDING CHECKLIST, LATEST VERSION. WHEN NATIONAL AND LOCAL GROUNDING CODES ARE MORE STRINGENT, THEY SHALL GOVERN.

2. GROUND RODS:
   A. 5/8"x10' LONG COPPER CLAD STEEL
   B. STANDARD SPACING: 10'
   C. TOP SHALL BE A MINIMUM OF 2'–6" BELOW BASE OF GRAVEL.

3. GROUND CONDUCTORS:
   A. #2 BARE TINNED SOLID COPPER UNLESS INDICATED OTHERWISE.
   B. WHEN DIRECTION OF CONDUCTOR CHANGES, IT SHALL BE DONE GRADUALLY.
   C. ALL GROUNDING CONDUCTORS SHALL RUN THROUGH PVC SLEEVES WHEREVER CONDUCTORS RUN THROUGH CONCRETE SLAB.
   D. GROUND RINGS SHALL BE BURIED A MINIMUM OF 2'–6" BELOW BASE OF GRAVEL. GROUND RINGS SHALL BE LOCATED A MINIMUM OF 2'–0" FROM OUTSIDE EDGE OF CABINETS, TOWER FOUNDATION AND OTHER SITE OBJECTS.

4. GROUND CONNECTIONS:
   A. ALL CONNECTIONS SHALL BE EXOTHERMIC (CADWELD OR APPROVED EQUAL) UNLESS INDICATED OTHERWISE.
   B. ALL MATERIALS USED SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND INSTRUCTIONS.
   C. CONNECTIONS AT GROUND BARS AND SERVICE DISCONNECTING MEANS SHALL CONSIST OF LUGS CADWELDED TO GROUND CONDUCTORS UNLESS INDICATED OTHERWISE. LUGS SHALL BE ATTACHED TO GROUND BARS USING STAINLESS STEEL OR HOT–DIPPED GALVANIZED STEEL BOLTS, NUTS AND LOCKWASHERS.

5. MISCELLANEOUS ITEMS TO BE CONNECTED TO THE GROUNDING SYSTEM:
   A. ANY METAL FENCE POST WITHIN 6' OF THE GROUND RING.
   B. TRANSMISSION LINE ENTRANCE HATCH.
   C. METAL CABINET PARTS NOT GROUNDED BY THE INTERNAL GROUND RING.
   D. METAL FUEL STORAGE TANKS.
   E. ANY SIGNIFICANT METAL OBJECT WITHIN 6' OF THE EXTERANL GROUNDING SYSTEM OR ANY OTHER GROUNDED OBJECT.
   F. EXTERIOR ICE SHIELDS.
   G. GENERATOR AND SUPPORT SKID OR BASE AND SWITCH.

6. INSTALLATION AND TESTING:
   A. CONTRACTOR SHALL NOTIFY CONSTRICTION MANAGER IMMEDIATELY IF THERE ARE ANY DIFFICULTIES INSTALLING GROUNDING SYSTEM DUE TO FIELD CONDITIONS.
   B. CONTRACTOR SHALL NOT COVER UP GROUND RING AND CONNECTIONS UNTIL AN INSPECTION HAS BEEN PERFORMED. COORDINATE INSPECTION WITH CONSTRUCTION MANAGER.
   C. PROVIDE TESTING OF GROUNDING SYSTEM AS DIRECTED BY CONSTRUCTION MANAGER.

7. THE MAXIMUM ALLOWABLE RESISTANCE READING SHALL BE 5 OHMS TO GROUND. IF THE RESISTANCE OF THE ENTIRE GROUNDING SYSTEM AS MEASURED AT THE MASTER GROUND BAR EXCEEDS 5.0 OHMS, THE ELECTRICAL CONTRACTOR AND OWNER'S REPRESENTATIVE SHALL BE NOTIFIED SO THAT ADDITIONAL GROUND LOCATIONS CAN BE UTILIZED.

8. ALL EXPOSED GROUND LEADS TO GROUND RING, PLACED IN CONCRETE, SHALL BE ENCASED IN 3/4" FLEXIBLE CONDUIT, SEAL TYPE OR SIMILAR.

9. ALL GROUND WIRE CONNECTIONS TO EQUIPMENT GROUND RING THAT ARE RUNNING ABOVE GROUND SHALL BE RUN INSIDE SEALTIGHT FLEX CONDUIT.

10. ALL CONNECTIONS ABOVE GROUND EXCEPT CONNECTIONS TO GROUND BARDS O ARRESTOR BRACKET SHALL BE WITH DOUBLE LUG CONNECTORS. CONNECTIONS TO GROUND BARS & ARRESTORS SHALL BE CADWELD.

11. COMPACT BACKFILL OF ALL TRENCHES FOR GROUNDING RING. SITE SOIL OR #57 STONE MAY BE USED FOR BACKFILL MATERIALS. CONTRACTOR SHALL OBTAIN APPROVAL FOR BACKFILL MATERIALS TO BE USED FROM CONSTRUCTION MANAGER

12. CONTRACTOR SHALL PROVIDE S.S. FLAT & LOCK WASHERS AS REQUIRED FOR COMPLETE INSTALLATION OF GROUND LEADS AT GROUND BUS.

ABBREVIATIONS AND SYMBOLS

ABBREVIATIONS:

AGL	ABOVE GRADE LEVEL
BTS	BASE TRANSCEIVER STATION
(E)	EXISTING
MIN.	MINIMUM
N.T.S.	NOT TO SCALE
REF	REFERENCE
RF	RADIO FREQUENCY
T.B.D.	TO BE DETERMINED
T.B.R.	TO BE RESOLVED
TYP	TYPICAL
REQ	REQUIRED
EGR	EQUIPMENT GROUND RING
AWG	AMERICAN WIRE GAUGE
MGB	MASTER GROUND BAR
EG	EQUIPMENT GROUND
BCW	BARE COPPER WIRE
SIAD	SMART INTEGRATED ACCESS DEVICE
GEN	GENERATOR
IGR	INTERIOR GROUND RING (HALO)
RBS	RADIO BASE STATION

SYMBOLS:

S/G	SOLID GROUND BUS BAR
S/N	SOLID NEUTRAL BUS BAR
	2–POLE THERMAL–MAGNETIC CIRCUIT BREAKER
	SINGLE–POLE THERMAL–MAGNETIC CIRCUIT BREAKER
	CHEMICAL GROUND ROD
	TEST WELL
	DISCONNECT SWITCH
M	METER

B+T GRP

APC Towers
3000 AERIAL CENTER PARKWAY, SUITE 110
MORRISVILLE, NC 27560
PH: (919) 324–1843

T-Mobile

FL-1473 (A2H0322)

HYSNI

34TH ST. S
ST. PETERSBURG, FL 33712

PROPOSED UNIPOLE

SCALE VERIFICATION
BAR IS ONE INCH ON ORIGINAL DRAWING. 0 — 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

SCALE: N.T.S.

PROJECT NO:	113369
CHECKED BY:	GAM

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
0	8/10/17	WE	ZONING

W. KELLY
ENGINEERING, INC.
17703 BOLDEN AVENUE
TULSA, OK 74116
COA: 2249, Expires 2/28/19
No. 66194
STATE OF FLORIDA
PROFESSIONAL ENGINEER
8/15/2017
THIS IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SHEET NUMBER:	REVISION:
GN-2	0

GENERAL NOTES:

1. EXISTING FEATURES SHOWN HEREON ARE BASED ON A FIELD SURVEY PERFORMED BY STONECYPHER SURVEYING, INC., ON 6/12/17.

2. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A BOUNDARY SURVEY PERFORMED BY STONECYPHER SURVEYING, INC., ON 6/12/17.

3. BENCHMARKS SHOWN HEREON ARE FOR THE EXPRESS USE OF THE CONTRACTOR WHILE PERFORMING WORK ON THIS PROJECT. BENCHMARKS ARE BASED ON NAVD 88.

4 THE FUTURE PREFABRICATED MODULAR STRUCTURES OR EQUIPMENT CABINET STRUCTURES LOCATED IN THE TOWER COMPOUND WILL BE UNMANNED. THEREFORE, A LOCK ALLOWING EMERGENCY VEHICLE ACCESS THROUGH THE SECURITY GATE IS NOT REQUIRED. IF EMERGENCY VEHICLE ACCESS IS REQUIRED, A LINK IN THE LOCKING CHAIN CAN BE CUT TO ALLOW FOR ENTRY INTO THE TOWER COMPOUND AREA.

5. THIS IS AN UNMANNED RESTRICTED GROUND SITE THAT WILL BE USED FOR THE TRANSMISSION OF RADIO SIGNALS FOR THE PURPOSE OF PROVIDING PUBLIC WIRELESS TELECOMMUNICATIONS SERVICE.

6. THIS FACILITY WILL CONSUME NO UNRECOVERABLE ENERGY AND IS EXEMPT FROM THE FLORIDA ENERGY REVIEW CODE NO WASTEWATER WILL BE GENERATED AT THIS LOCATION.

7 MAINTENANCE CREWS, (TYPICALLY ONE PERSON PER WIRELESS CARRIER), WILL MAKE AN AVERAGE OF ONE TRIP PER MONTH TO THE PROPOSED FACILITY.

8 THE CONTRACTOR IS RESPONSIBLE FOR PROPERLY DISPOSING OF ALL DEMOLITION MATERIALS, AND ANY DEBRIS OR TRASH GENERATED DUE TO CONSTRUCTION, AT AN APPROVED PREDETERMINED OFF-SITE LOCATION IN A MANNER DETERMINED BY THE LOCAL REGULATORY AGENCY.

9 ALL DISTURBED AREAS NOT DESIGNATED FOR DEMOLITION, REMOVAL, OR IMPROVEMENTS SHALL BE RETURNED TO THEIR ORIGINAL CONDITION AFTER THE COMPLETION OF NEW CONSTRUCTION WORK. ALL DISTURBED AREAS AT MINIMUM SHALL BE FERTILIZED, SEEDED AND MULCHED.

10. THE CONTRACTOR SHALL VERIFY, UPON COMPLETION OF THE DEVELOPMENT, THAT THE SITE IS PROPERLY STABILIZED AND ALL INDICATED SWALES AND EROSION CONTROL DEVICES ARE CONSTRUCTED AS INDICATED ON THE PLANS.

11. CONSTRUCTION SHALL CONFORM TO THE CODES AND STANDARDS REFERENCED INCLUDING THE INDICATED SECTIONS OF THE FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, THE FDOT ROADWAY AND TRAFFIC DESIGN STANDARDS.

12. ALL SITE WORK SHALL BE CAREFULLY COORDINATED BY THE GENERAL CONTRACTOR WITH LOCAL GAS AND ELECTRIC, TELEPHONE, AND ANY OTHER UTILITY COMPANIES HAVING JURISDICTION OVER THIS LOCATION.

13. SITE GRADING SHALL MAINTAIN EXISTING SURFACE FLOW CONDITIONS. THE TOWER COMPOUND SHALL BE GRADED TO ENSURE STORM WATER RUNOFF AWAY FROM TOWER AND EQUIPMENT PADS.

14. SOIL MATERIALS FOR FILLING SHALL CONFORM TO AASHTO SOIL GROUPS A-2, A-3 OR A-4 AND SHALL BE PLACED IN TEN INCH LOOSE LIFTS TO THE GRADES SHOWN ON THE PLANS. EACH LIFT SHALL BE COMPACTED TO 95% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY (ASTM D1557 METHOD D).

15. ALL FILL SHALL BE TESTED FOR FIELD DENSITY. TESTS SHALL BE TAKEN IN EACH LIFT OF FILL AT LOCATIONS DESIGNATED BY THE OWNER'S REPRESENTATIVE.

16. ALL TESTING SHALL BE PERFORMED BY A QUALIFIED TESTING LAB UNDER THE DIRECTION OF AN ENGINEER REGISTERED IN THE STATE OF FLORIDA. TEST RESULTS SHALL BE SUBMITTED TO THE OWNER'S REPRESENTATIVE FOR REVIEW. THE CONTRACTOR SHALL BEAR ALL TESTING EXPENSES

17. SUB GRADE WORK – THE CONTRACTOR SHALL CLEAR AND STRIP THE AREA TO BE STABILIZED AND EXCAVATE TO THE TOP OF THE SUBGRADE THE TOP OF THE SUB GRADE SHALL BE PROOF ROLLED IN THE PRESENCE OF THE OWNER'S REPRESENTATIVE TO LOCATE AND IDENTIFY SOFT SPOTS. SOIL MATERIALS IN SOFT AREAS SHALL BE REMOVED AND THESE AREAS SHALL BE BACK FILLED AS DIRECTED BY THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL DISPOSE OF THE EXCAVATED SUB GRADE MATERIALS, IF UNSUITABLE FOR FILL, OFF SITE AT AN APPROVED LOCATION.

18. PREPARED SUB GRADE – PREPARED SUB GRADE SHALL BE STABILIZED WITH TYPE B STABILIZING COMMERCIAL LIMEROCK MATERIAL. THE MINIMUM LBR VALUE SHALL BE NOT LESS THAN 40 AND THE FIELD DENSITIES SHALL NOT BE LESS THAN 98% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY (ASTM D1557 METHOD). MATERIALS FOR TYPE B STABILIZATION SHALL BE IN ACCORDANCE WITH FDOT SECTION 914 EQUIVALENT.

19. BASE COURSE – COARSE AGGREGATE MATERIAL FOR THE GRADED AGGREGATE BASE SHALL BE FDOT COARSE AGGREGATE BASE. THE GRADED AGGREGATE BASE COURSE SHALL BE COMPACTED TO A MINIMUM DENSITY OF NO LESS THAN 98% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY (ASTM D1557 METHOD D).

20. ALL TREES AND SHRUBS WHICH ARE NOT DESIGNATED FOR REMOVAL AND ARE WITHIN 10' OF THE WORK AREA SHALL BE PROTECTED BY THE CONTRACTOR

(GENERAL NOTES CONTINUED)

21. ALL LOCATION TIES ARE PERPENDICULAR UNLESS OTHERWISE NOTED.

22. THE ENGINEER OF RECORD SHALL BE NOTIFIED FOR AUTHORIZATION OF ANY CHANGES OR MODIFICATIONS TO THE APPROVED SET OF SITE/CONSTRUCTION PLANS.

23. THE CONTRACTOR IS RESPONSIBLE FOR ANY NECESSARY UTILITY FIELD LOCATION, RELOCATION, OR REPAIR DUE TO DAMAGE DURING CONSTRUCTION. THE CONTRACTOR SHALL COORDINATE WITH THE LOCAL UTILITY COMPANIES TO DELINEATE EXISTING ON-SITE UTILITIES PRIOR TO DIGGING.

24. ANY DAMAGE TO EXISTING ASPHALT SURFACES SHALL BE REPAIRED OR REPLACED TO RETURN THE VEHICULAR ACCESS AND PARKING AREAS TO EXISTING CONDITIONS PRIOR TO THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS.

25. CLEARING AND GRUBBING SHALL BE PERFORMED IN THE CONSTRUCTION AREAS AS NOTED ON THE PLANS. ALL CLEARED MATERIAL SHALL BE REMOVED AND DEPOSITED OFF-SITE AT AN APPROVED LOCATION.

26. BUILDING AND SLAB FINISH FLOOR ELEVATION TO BE 6" ABOVE FINISHED GRADE.

27. NOT USED.

28. THE PROPOSED DEVELOPMENT DOES NOT REQUIRE STATE STORMWATER PERMITTING IN ACCORDANCE WITH CHAPTER 62-330.020(2) F.A.C.

ENVIRONMENTAL SAFETY PRACTICES:

29. THE CONTRACTOR IS RESPONSIBLE FOR COLLECTION AND PROPER OFF-SITE DISPOSAL OF ALL CONSTRUCTION TRASH IN ACCORDANCE WITH LOCAL REGULATORY STANDARDS AND CODE. THE CONTRACTOR SHALL PROVIDE ON-SITE TRASH RECEPTACLES FOR COLLECTION OF NON-TOXIC DEBRIS. ALL TRASH SHALL BE COLLECTED ON A DAILY BASIS

30. ALL TOXIC AND ENVIRONMENTALLY HAZARDOUS SUBSTANCE SHALL BE USED AND DISPOSED OF IN ACCORDANCE WITH MANUFACTURER SPECIFICATIONS. UNDER NO CIRCUMSTANCES SHALL RINSING OR DUMPING OF THESE SUBSTANCES OCCUR ON-SITE.

EROSION/SEDIMENTATION CONTROL PRACTICES:

31. EROSION AND SEDIMENTATION CONTROL SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. AREAS OF DISCHARGE DURING CONSTRUCTION SHALL BE PROTECTED WITH A SEDIMENT BARRIER PER F.D.O.T. INDEX NO. 102, TO PREVENT DISCHARGE OF SEDIMENTS. TEMPORARY SEED AND MULCH SHALL BE USED TO CONTROL ON-SITE EROSION WHEN IT IS NOT PRACTICAL TO ESTABLISH PERMANENT VEGETATION. PERMANENT VEGETATION SHALL BE PLACED AS EARLY A POSSIBLE ON ALL SLOPES STEEPER THAN 5 (FT) HORIZONTAL TO 1 (FT) VERTICAL. SOD SHALL BE PINNED AS REQUIRED. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE MAINTAINED IN WORKING ORDER THROUGHOUT THE CONSTRUCTION PHASE. THE CONTRACTOR SHALL INSPECT AND REPAIR AS NECESSARY THE EROSION/SEDIMENTATION PROTECTION AT THE END OF EACH WORKING DAY.
NOTE: EROSION/SEDIMENTATION CONTROL SHALL BE PLACED PRIOR TO SITE EXCAVATION AND FILLING AND SHALL REMAIN IN PLACE UNTIL SITE VEGETATION AND LANDSCAPING IS COMPLETED.

32. TEMPORARY DIVERSION SWALES AND/OR DIKES SHALL BE EMPLOYED TO CONTROL RUNOFF. THE DIVERSION SYSTEMS SHOULD PREVENT "UPHILL" RUNOFF FROM TRAVERSING CONSTRUCTION SITES DURING EXCAVATION OR GRADING OPERATIONS.

33. TEMPORARY SEDIMENT TRAPS AND BASINS SHALL BE EMPLOYED TO COLLECT SILT FROM RUNOFF PRIOR TO DISPOSAL. ACCUMULATED SILT SHALL BE REMOVED PERIODICALLY TO MAINTAIN THE FUNCTION OF THE SYSTEM. ALL ACCUMULATED SILT SHALL BE REMOVED AND THE SITE RESTORED TO FINAL DESIGN GRADES UPON COMPLETION OF CONSTRUCTION.

34. PERMANENT VEGETATIVE STABILIZATION SHALL BE APPLIED ON FINE GRADED SITES AS SOON AS PRACTICAL. TEMPORARY SEEDING SHOULD BE EMPLOYED TO PREVENT EXPOSURE OF BARREN SOILS UNTIL PERMANENT VEGETATION CAN BE APPLIED.

35. IF ANY LIMEROCK IS ENCOUNTERED DURING CLEARING, CONSTRUCTION, OR EXCAVATION THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD. WHERE LIMEROCK IS UNCOVERED, IT SHALL BE OVER EXCAVATED 3 FEET AND REPLACED WITH CLAYEY SOILS THAT EXTEND 3 FEET BEYOND THE PERIMETER OF THE ENCOUNTERED LIMEROCK CAP. THE CLAYEY SOIL SHALL HAVE AT LEAST 25% PASSING THE NO. 200 SIEVE. THE CLAYEY SOIL SHALL BE PLACED IN 6-INCH LIFTS, COMPACTED TO 95% OF STANDARD PROCTOR AND COMPACTED IN A WET CONDITION WITH MOISTURE CONTENT 2% – 4% ABOVE OPTIMUM.

36. ALL DISTURBED AREAS NOT INDICATED FOR SOD SHALL BE FERTILIZED, SEEDED, AND MULCHED, AND CONFORM TO THE FOLLOWING SECTIONS: SEED (SECTION 570), SOD (SECTION 575), MULCH (SECTION 981), AND FERTILIZER (SECTION 982).

37. SOD SHALL BE PLACED IN ACCORDANCE WITH FDOT SECTION 575-3.4.

38. NOT USED.

OPERATION AND MAINTENANCE PLAN:

39. SHOULD A SINKHOLE OCCUR, THE AREA SHALL BE REPAIRED AS SOON AS POSSIBLE. REPAIR SHALL INCLUDE FILLING (LIME ROCK SUCH AS ROAD BASE MATERIAL, CLAY/SAND MIXTURE WITH AT LEAST 25% PASSING THE NO. 200 SIEVE, OR CONCRETE IF NECESSARY). A 3-FOOT DEEP CAP THAT EXTENDS 3 FEET BEYOND THE PERIMETER OF THE SINKHOLE SHALL BE CONSTRUCTED WITH CLAYEY SOILS. THE CLAYEY SOIL SHALL HAVE AT LEAST 25% PASSING THE NO. 200 SIEVE. THE CLAYEY SOIL SHALL BE PLACED IN 6-INCH LIFTS, COMPACTED TO 95% OF STANDARD PROCTOR, AND COMPACTED IN A WET CONDITION WITH MOISTURE CONTENT 2%-4% ABOVE OPTIMUM. THE CLAY SOIL CAP SHALL BE REGRADED TO PREVENT CONCENTRATION OF WATER (I.E. PONDING) AND REVEGETATED.

40. SWALE/DITCH: ALL SWALES SHALL BE MAINTAINED FREE OF DEBRIS AND SEDIMENT. SILTATION AND DEPOSITS SHALL BE REMOVED WHEN THE DEPTH HAS BEEN REDUCED BY 20%. SILTATION REMOVED FROM SWALES SHALL NOT BE DISCHARGED INTO THE STORMWATER MANAGEMENT FACILITIES.

41. THE CONTRACTOR IS RESPONSIBLE FOR EROSION/SEDIMENTATION CONTROL PRACTICES DURING CONSTRUCTION TO MINIMIZE ON-SITE EROSION/SEDIMENTATION AND TO PROTECT AGAINST DAMAGE TO OFF SITE PROPERTY. THE FOLLOWING PRACTICES SHALL BE EMPLOYED:

A. ALL INLET STRUCTURES AND CULVERTS SHALL BE PROTECTED FROM SILTATION BY CONSTRUCTING INLET PROTECTION AS DEFINED IN THE F.D.O.T. STANDARDS.

B. EXCAVATED BASINS SHALL BE CONSTRUCTED AS PART OF THE INITIAL CONSTRUCTION. THE BASIN SHALL BE ROUGH GRADED, BY EXCAVATING THE BASIN BOTTOM AND SIDE SLOPES WITHIN 12 INCHES OF DESIGN GRADE. AFTER THE CONTRIBUTING DRAINAGE AREA IS STABILIZED, THE BASINS INTERIOR SIDE SLOPES AND BASIN BOTTOM SHALL BE EXCAVATED AND GRADED TO FINAL DESIGN GRADES. EXCESS AND UNSUITABLE SOILS SHALL BE REMOVED FROM THE BASIN (REMOVE ALL ACCUMULATED SILTS, CLAYS, ORGANIC, AND DEBRIS). FINALLY, RAKE BOTTOM AND VEGETATE.

C. UPON COMPLETION OF CONSTRUCTION ALL STORM WATER PIPES SHALL BE THOROUGHLY FLUSHED AND ACCUMULATED SEDIMENT SHALL BE REMOVED AND DEPOSITED IN A SUITABLE LOCATION. SOD SHALL BE PLACED AS SOON AS PRACTICAL.

TOWER NOTES:

1. THE PROPOSED WIRELESS TELECOMMUNICATIONS TOWER SHALL BE IN COMPLIANCE WITH THE FEDERAL COMMUNICATIONS COMMISSION GUIDELINES CONCERNING RADIO FREQUENCY RADIATION AND EMISSIONS.

2. THE PROPOSED CONSTRUCTION SHALL COMPLY WITH THE ELECTRONICS INDUSTRIES ASSOCIATION (EIA) STANDARDS AND ANY LOCAL ORDINANCES AS DEMONSTRATED BY FINAL SITE PLAN AND BUILDING PLAN APPROVAL.

3. THE PROPOSED TOWER SHALL BE DESIGNED TO MEET OR EXCEED EIA/TIA 222G SPECIFICATIONS AND SHALL BE A MONOPOLE DESIGN.

4. THE PROPOSED COMMUNICATION TOWER SHALL NOT EXCEED 125' ABOVE GROUND LEVEL.

5. THERE ARE NO SPECIAL FIRE PROTECTION CONCERNS ASSOCIATED WITH THIS DEVELOPMENT. NO FIRE PROTECTION SYSTEMS ARE TO BE INSTALLED.

6. TOWER, TOWER FOUNDATIONS, SLABS, MODULAR BUILDINGS, AND ELECTRICAL AND MECHANICAL FEATURES ARE TO BE DESIGNED AND SPECIFIED BY OTHERS.

7. THE PROPOSED TOWER WILL NOT REQUIRE NAVIGATIONAL HAZARD LIGHTING IN ACCORDANCE WITH FAA REQUIREMENTS.

8. A CARRIER MAINTENANCE CREW, TYPICALLY ONE PERSON, WILL MAKE AN AVERAGE OF ONE SITE TRIP PER MONTH PER CARRIER.

9. THREE (3) FUTURE CONCRETE PADS FOR EQUIPMENT CABINETS/BUILDINGS ARE PART OF THIS DEVELOPMENT. THE FUTURE EQUIPMENT BUILDINGS OR PADS WILL BE ONE STORY PREFAB STRUCTURES WITH AN APPROX. BUILDING HEIGHT OF LESS THAN 12 FEET. ALL PREFAB BUILDING STRUCTURES SHALL BE DEPARTMENT OF COMMUNITY AFFAIRS (DCA) APPROVED MANUFACTURED BUILDINGS.

10. THE PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY WILL NOT GENERATE SOLID WASTE.

11. FINISH NOTE: WCSFS SHALL NOT HAVE EXTERIOR MATERIALS WITH A SHINY OR REFLECTIVE FINISH.

12. FINANCIAL ASSURANCES NOTE: THE APPLICANT SHALL PROVIDE SUCH FINANCIAL ASSURANCES TO THE CITY AS THE CITY MAY REASONABLY REQUIRE WHICH SHALL ENSURE THE PAYMENT OF THE COST OF REMOVAL OF THE WCSF WHEN ABANDONED.

13. ABANDONMENT NOTE: ANY WCSF WHICH IS ABANDONED SHALL BE REMOVED OR DEMOLISHED BY THE OWNER OF THE PROPERTY UPON WHICH THE WCSF IS LOCATED WITHIN 30 DAYS FOLLOWING NOTICE BY THE POD TO THE OWNER. FOR THE PURPOSES OF THIS SECTION, THE TERM "ABANDONED" MEANS THAT NO WCA OR OTHER COMMERCIAL ANTENNA HAS BEEN OPERATIONAL AND LOCATED ON THE WCSF FOR TWO OR MORE YEARS AND THE TERM "OPERATIONAL" MEANS OPERATED COMMERCIALLY FOR AT LEAST 60 CONSECUTIVE DAYS. WHERE A WCSF IS ABANDONED BUT NOT REMOVED OR DEMOLISHED AS REQUIRED HEREBY, THE CITY MAY REMOVE OR DEMOLISH THE WCSF, DISPOSE OF THE WCSF, AND PLACE A LIEN ON THE PROPERTY AND THE WCSF FOR THE COSTS THEREOF BY FOLLOWING THE PROCEDURES (BUT NOT THE CRITERIA) FOR DEMOLITION OF NUISANCE OR UNSAFE STRUCTURES IN CHAPTER 8. IF THE WCSF IS REMOVED AND SOLD BY THE CITY, THE NET PROCEEDS AFTER DEDUCTING THE COSTS OF SUCH SALE SHALL BE CREDITED AGAINST THE COSTS OF REMOVAL. SUCH LIEN ON THE PROPERTY AND CSF SHALL BE SUPERIOR TO ALL OTHER LIENS EXCEPT TAXES. THE LAST OWNER OF THE WCSF SHALL ALSO BE RESPONSIBLE FOR ALL SUCH COSTS.

B+T GRP

APC Towers

3000 AERIAL CENTER PARKWAY, SUITE 110
MORRISVILLE, NC 27560
PH: (919) 324-1943

T-Mobile

FL-1473 A2H0322

HYSNI

34TH ST. S
ST PETERSBURG, FL

PROPOSED UNIP

SCALE VERIFICATION
0 — BAR IS ONE INCH ON ORIGINAL DRAWING. — 1"
IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY.

SCALE: N.T.S.

PROJECT NO:	113369
CHECKED BY:	GAM

ISSUED FOR:

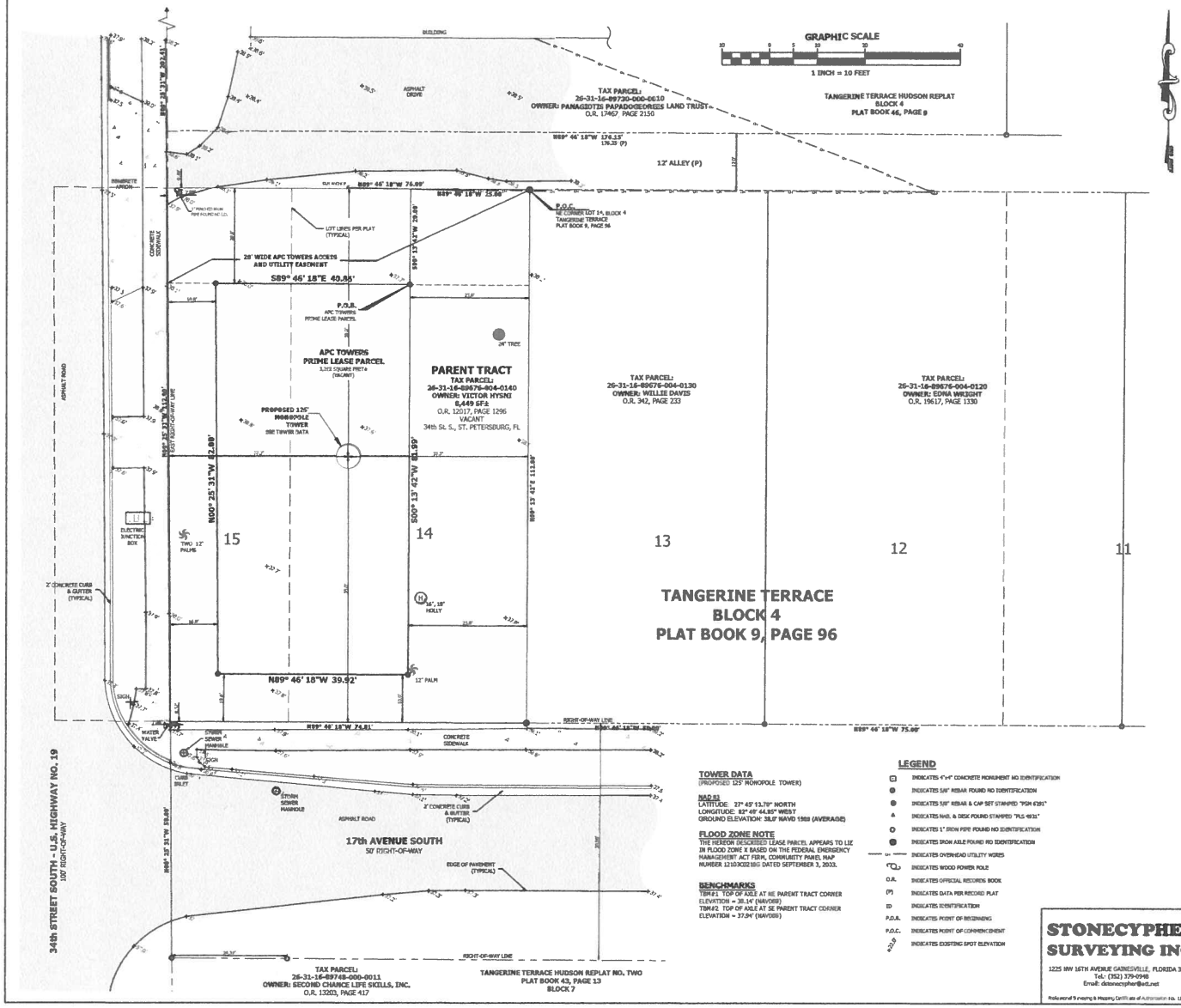
REV	DATE	DRAWN	DESCRIPTION
0	[illegible]	[illegible]	ZONING

No. 66194
STATE OF FLORIDA
8/15/2019

SHEET NUMBER:	REVISION:
GN-1	0

BOUNDARY & TOPOGRAPHIC SURVEY
OF APC TOWERS LEASE PARCEL

IN SECTION 26, TOWNSHIP 31 SOUTH, RANGE 16 EAST,
PINELLAS COUNTY, FLORIDA



PARENT TRACT DESCRIPTION (O.R. 12017, PAGE 1296)

LOT 15, LESS THE WEST 26 FEET THEREOF FOR STREET AND ALL OF LOT 14, BLOCK 4, TANGERINE TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 96, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

APC TOWERS PRIME LEASE PARCEL

A PARCEL OF LAND LYING IN LOTS 14 AND 15, BLOCK 4, TANGERINE TERRACE, PLAT BOOK 9, PAGE 96 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 14, TANGERINE TERRACE, PLAT BOOK 9, PAGE 96 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N 89°46'18" W ALONG THE NORTH LINE OF SAID LOT 14, SAID LINE ALSO BEING THE SOUTH LINE OF A 12 FOOT WIDE ALLEY AS SHOWN ON SAID PLAT, FOR 25.00 FEET; THENCE S 00°13'42" W FOR 20.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE S 00°13'42" W FOR 81.99 FEET; THENCE N 89°46'18" W FOR 39.92 FEET; THENCE N 00°25'31" W FOR 82.00 FEET; THENCE S 89°46'18" E FOR 40.86 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND SITUATE, LYING AND BEING IN SECTION 26, TOWNSHIP 31 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, CONTAINING 3,312 SQUARE FEET, MORE OR LESS.

APC TOWERS ACCESS AND UTILITIES EASEMENT

A 28 FOOT WIDE EASEMENT FOR THE PURPOSE OF INGRESS, EGRESS AND UTILITIES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 28 FEET OF LOTS 14 AND 15, BLOCK 4, TANGERINE TERRACE, PLAT BOOK 9, PAGE 96 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS THE RIGHT OF WAY FOR U.S. HIGHWAY 19 (ALSO KNOWN AS 34th STREET SOUTH)

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE GRID NAD83 FLORIDA STATE PLANE, WEST ZONE, ESTABLISHED WITH STATIC GPS OBSERVATIONS REFERENCED TO CONTROL MONUMENT DESIGNATION "PET 1" (PID AG7134).
2. THE BOUNDARY AND TOPOGRAPHIC SURVEY SHOWN HEREON IS BASED ON ACTUAL FIELD MEASUREMENTS AND OBSERVATIONS DATED JUNE 12, 2017.
3. THIS SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. ELEVATIONS ARE NAVD 1988 AND ARE REFERENCED TO NATIONAL GEODETIC SURVEY BENCHMARK "PET 1" WITH A PUBLISHED ELEVATION OF 53.21' NAVD 88.
5. CENTER OF PROPOSED TOWER LATITUDE, LONGITUDE AND ELEVATION SHOWN HEREON WERE ESTABLISHED FROM DIFFERENTIAL GPS OBSERVATIONS. THE VALUES FOR THE PROPOSED TOWER LATITUDE, LONGITUDE AND ELEVATION SHOWN HEREON EXCEED FAA "1-A" ACCURACY REQUIREMENTS.
6. THE PURPOSE OF THIS SURVEY IS TO SHOW IMPROVEMENTS ASSOCIATED WITH A PROPOSED TELECOMMUNICATIONS FACILITY AND PROVIDE LEGAL DESCRIPTIONS FOR SAID FACILITY AND ASSOCIATED EASEMENTS. PARENT TRACT DATA IS FOR INFORMATION ONLY.
7. MEASURED BEARINGS AND DISTANCES WERE IN SUBSTANTIAL AGREEMENT WITH RECORD DATA UNLESS OTHERWISE NOTED.
8. PROPERTY TIES ARE PERPENDICULAR MEASURE UNLESS OTHERWISE NOTED.
9. UNDERGROUND FOUNDATIONS AND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY UNLESS OTHERWISE NOTED HEREON.
10. BASED UPON OUR FIELD WORK AND THE TITLE COMMITMENT REPORT, THE APC TOWERS LEASE PARCEL HAS ACCESS TO 34th STREET SOUTH - U.S. HIGHWAY NO. 19 (100' WIDE PUBLIC RIGHT-OF-WAY) VIA THE APC TOWERS 20' WIDE ACCESS AND UTILITIES EASEMENT AND ALSO THE 12' WIDE ALLEY AS SHOWN HEREON. NO EASEMENTS OR OTHER RIGHTS OF THIRD PARTIES DISCLOSED IN THE TITLE COMMITMENT REPORT PRECLUDE ACCESS OVER THE PARENT TRACT FROM THE APC TOWERS LEASE PARCEL TO 34th STREET SOUTH OR ALLEY.
11. THE APC TOWERS LEASE PARCEL AND THE APC TOWERS ACCESS & UTILITIES EASEMENT ARE LOCATED ENTIRELY WITHIN THE DESCRIBED PARENT TRACT.

TITLE COMMITMENT

THIS SURVEY MAP DEPICTS THE LOCATION OF RECORDED ENCUMBRANCES, EASEMENTS, AND OTHER MATTERS LISTED IN SCHEDULE B - SECTION 2 OF THE COMMITMENT TO INSURE TITLE, COMMITMENT NUMBER 01-12030956-01T, PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, DATED APRIL 24, 2017.

NO PLOTTABLE EXCEPTIONS IN TITLE COMMITMENT.

TOWER DATA

(PROPOSED 125' MONOPOLE TOWER)

NAD 83
LATITUDE 27° 45' 13.79" NORTH
LONGITUDE 82° 49' 44.85" WEST
GROUND ELEVATION: 38.0' NAVD 1988 (AVERAGE)

FLOOD ZONE NOTE

THE HEREON DESCRIBED LEASE PARCEL APPEARS TO LIE IN FLOOD ZONE X BASED ON THE FEDERAL EMERGENCY MANAGEMENT ACT FIRM, COMMUNITY PANEL MAP NUMBER 12103C0218G DATED SEPTEMBER 3, 2003.

BENCHMARKS

TBM#1: TOP OF AXLE AT NE PARENT TRACT CORNER
ELEVATION = 38.14' (NAVD88)
TBM#2: TOP OF AXLE AT SE PARENT TRACT CORNER
ELEVATION = 37.04' (NAVD88)

LEGEND

- ⊡ INDICATES 4"x4" CONCRETE MONUMENT NO IDENTIFICATION
- ● INDICATES 5/8" REBAR FOUND NO IDENTIFICATION
- ● INDICATES 5/8" REBAR & CAP SET STAMPED "PSM 6391"
- ▲ INDICATES NAIL & DISC FOUND STAMPED "PLS 4931"
- ○ INDICATES 1" IRON PIPE FOUND NO IDENTIFICATION
- ● INDICATES IRON AXLE FOUND NO IDENTIFICATION
- INDICATES OVERHEAD UTILITY WIRES
- INDICATES WOOD POWER POLE
- O.R. INDICATES OFFICIAL RECORDS BOOK
- (P) INDICATES DATA PER RECORD PLAT
- ID INDICATES IDENTIFICATION
- P.O.B. INDICATES POINT OF BEGINNING
- P.O.C. INDICATES POINT OF COMMENCEMENT
- 20.00 INDICATES EXISTING SPOT ELEVATION

REVISION - 7/11/17: REVISED TOWER HEIGHT.
REVISION - 6/27/17: REVISED LEASE PARCEL AND TOWER LOCATION.
REVISION - 6/20/17: REVISED LEASE PARCEL AND REMOVED T-MOBILE LEASE PARCEL.

STONECYPHER SURVEYING INC.
1225 NW 16TH AVENUE GAINESVILLE, FLORIDA 32601
Tel.: (352) 379-0948
Email: dstonecypher@atl.net
Professional Surveying & Mapping Certificate of Authorization No. LB 8069

BOOK/PAGE	21/68	SCALE	1"=10'
DRAWN	JAE	DATE	JUNE 12, 2017
CHECKED	DWS	PROJECT #	17-0062

This map prepared by: 7-11-17
DAVID W. STONECYPHER
PROFESSIONAL SURVEYOR & MAPPER FLA. LICENSE NO. 6391

COMMUNICATION TOWER SITE -- VICTOR HYSNI
SITE NUMBER FL-1473 (A2HO322)

DRAWING # APC-HYSNI SURVEY.DWG

APC TOWERS, LLC

SHEET # 1 OF 1

SITE DATA BOX	
LEASE PARCEL:	3,312 SF
EASEMENT :	1,519 SF
TOTAL IMP:	1,148 SF
TOTAL SEMI IMP:	2,760 SF
TOTAL OPEN SPACE:	923 SF

LEGEND	
+ 12.2'	EXISTING SPOT ELEVATION

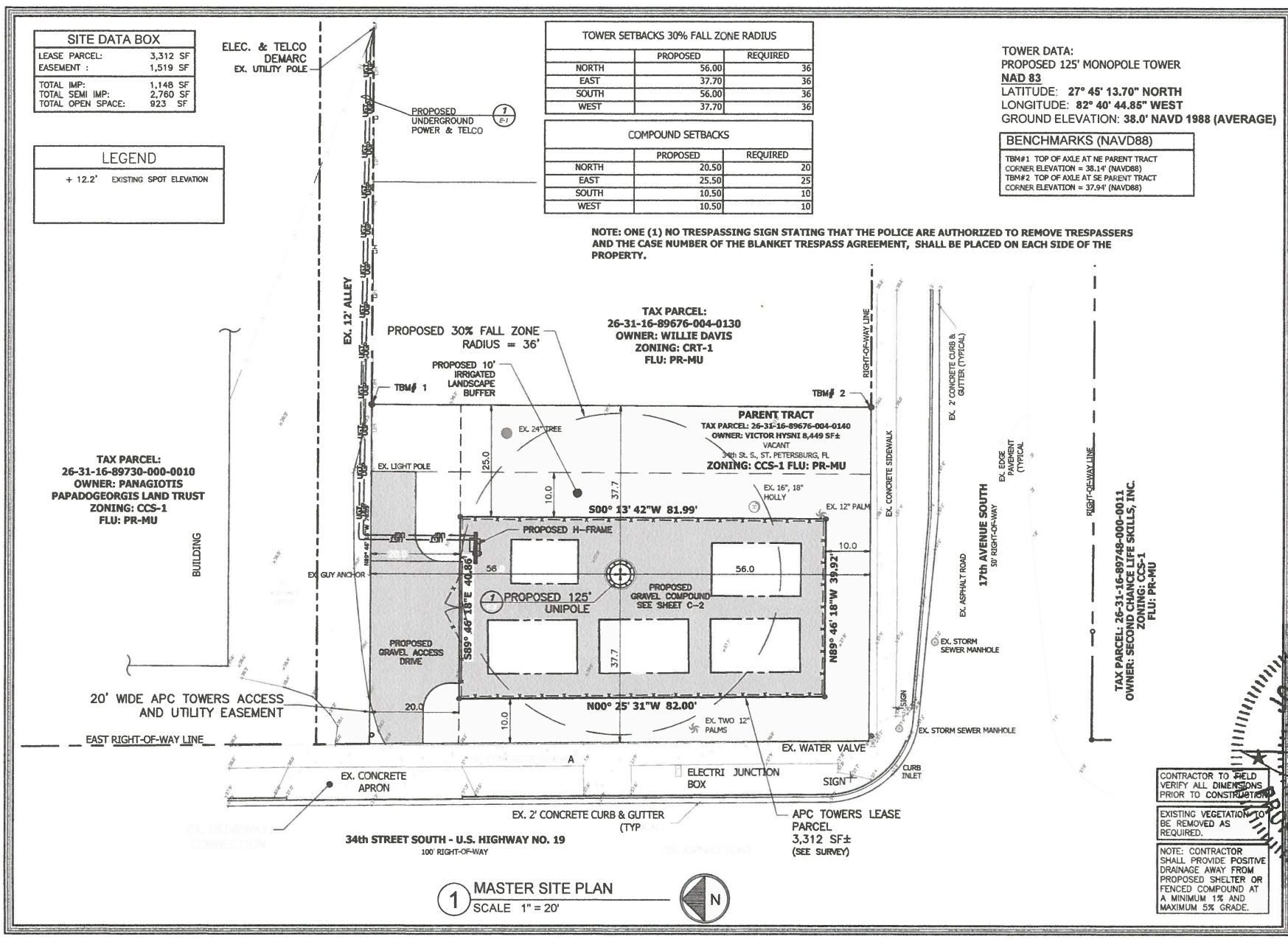
TOWER SETBACKS 30% FALL ZONE RADIUS		
	PROPOSED	REQUIRED
NORTH	56.00	36
EAST	37.70	36
SOUTH	56.00	36
WEST	37.70	36

COMPOUND SETBACKS		
	PROPOSED	REQUIRED
NORTH	20.50	20
EAST	25.50	25
SOUTH	10.50	10
WEST	10.50	10

TOWER DATA:
PROPOSED 125' MONOPOLE TOWER
NAD 83
LATITUDE: **27° 45' 13.70" NORTH**
LONGITUDE: **82° 40' 44.85" WEST**
GROUND ELEVATION: **38.0' NAVD 1988 (AVERAGE)**

BENCHMARKS (NAVD88)
TBM#1 TOP OF AXLE AT NE PARENT TRACT CORNER ELEVATION = 38.14' (NAVD88)
TBM#2 TOP OF AXLE AT SE PARENT TRACT CORNER ELEVATION = 37.94' (NAVD88)

NOTE: ONE (1) NO TRESPASSING SIGN STATING THAT THE POLICE ARE AUTHORIZED TO REMOVE TRESPASSERS AND THE CASE NUMBER OF THE BLANKET TRESPASS AGREEMENT, SHALL BE PLACED ON EACH SIDE OF THE PROPERTY.



1 MASTER SITE PLAN
SCALE 1" = 20'

CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.

EXISTING VEGETATION TO BE REMOVED AS REQUIRED.

NOTE: CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM PROPOSED SHELTER OR FENCED COMPOUND AT A MINIMUM 1% AND MAXIMUM 5% GRADE.

B+T GRP

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3000 AERIAL CENTER PARKWAY, SUITE 110
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FL-1473 (A2H0322)

HYSNI

34TH ST. S
ST. PETERSBURG, FL 33712

PROPOSED UNIPOLE

SCALE VERIFICATION
BAR IS ONE INCH ON ORIGINAL DRAWING. 0 — 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

SCALE: 1"=20'

PROJECT NO:	113369
CHECKED BY:	GAM

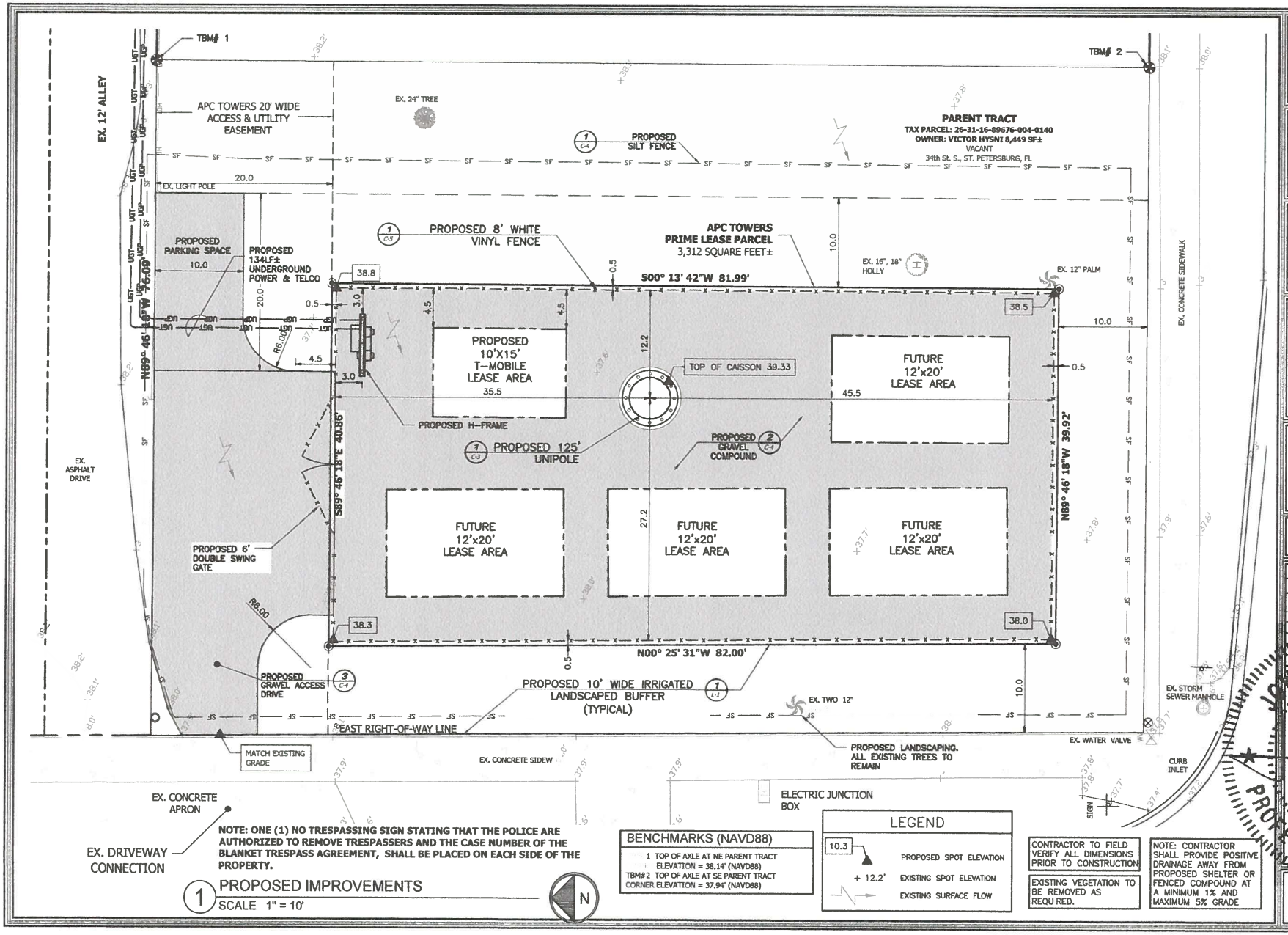
ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
0	8/10/17	[illegible]	ZONING

JOHN W. KELLY
LICENSED PROFESSIONAL ENGINEER
No. 66194
STATE OF FLORIDA
8/15/2017

JOHN W. KELLY, INC.
1707 S. BOULDER AVENUE
TULSA, OK 74119
COA: 27196 Expires 2/28/19

SHEET NUMBER:	REVISION:
C-1	0



NOTE: ONE (1) NO TRESPASSING SIGN STATING THAT THE POLICE ARE AUTHORIZED TO REMOVE TRESPASSERS AND THE CASE NUMBER OF THE BLANKET TRESPASS AGREEMENT, SHALL BE PLACED ON EACH SIDE OF THE PROPERTY.

1 PROPOSED IMPROVEMENTS
SCALE 1" = 10'

N

BENCHMARKS (NAVD88)

1 TOP OF AXLE AT NE PARENT TRACT ELEVATION = 38.14' (NAVD88)
TBM#2 TOP OF AXLE AT SE PARENT TRACT CORNER ELEVATION = 37.94' (NAVD88)

LEGEND

10.3	PROPOSED SPOT ELEVATION
+ 12.2'	EXISTING SPOT ELEVATION
	EXISTING SURFACE FLOW

CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION

EXISTING VEGETATION TO BE REMOVED AS REQU RED.

NOTE: CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM PROPOSED SHELTER OR FENCED COMPOUND AT A MINIMUM 1% AND MAXIMUM 5% GRADE

B+T GRP

APC Towers
3000 AERIAL CENTER PARKWAY, SUITE 110
MORRISVILLE, NC 27560
PH: (919) 324-1943

T-Mobile

FL-1473 (A2H0322)

HYSNI

34TH ST. S
ST. PETERSBURG, FL 33712

PROPOSED UNIPOLE

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SCALE: 1"=10'

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JOHN W. KELLY III
L. CHENG
B+T ENGINEERING, INC.
1717 S. BOULDER AVENUE
TULSA, OK 74119
COA: 27496 Expires 2/28/19
No. 66194
STATE OF FLORIDA
PROFESSIONAL ENGINEER
8/15/2017

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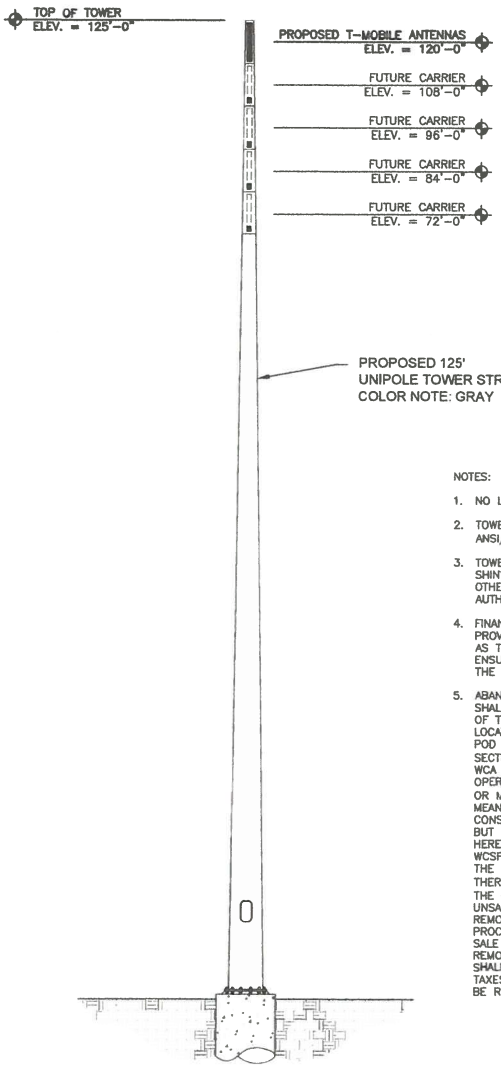
C-2	0

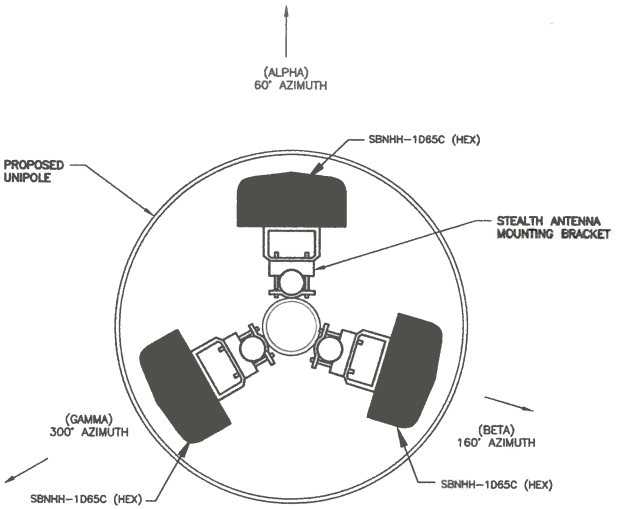


1 TOWER ELEVATION
SCALE: N.T.S.

PROPOSED ANTENNA, CABLE & EQUIPMENT SCHEDULE									
SECTOR	TECHNOLOGY COMPONENT	MANUFACTURER	MODEL	RAD CENTER HEIGHT	AZIMUTH	MECH. DOWNTILT	ELEC. DOWNTILT	CABLE SIZE	CABLE LENGTH	TMA
ALPHA	LTE/AWS	ANDREW	SBNHH-1D65C (HEX)	120'-0"	60°	0°	-	(1) 7/8"	145'±	(2) TMAT192B78-21A
BETA	LTE/AWS	ANDREW	SBNHH-1D65C (HEX)	120'-0"	160°	0°	-	(1) 7/8"	145'±	(2) TMAT192B78-21A
GAMMA	LTE/AWS	ANDREW	SBNHH-1D65C (HEX)	120'-0"	300°	0°	-	(1) 7/8"	145'±	(2) TMAT192B78-21A

NOTES:

1. NO LIGHTING PROPOSED.
2. TOWER WILL BE DESIGNED IN COMPLIANCE WITH ANSI/TIA-222-G-2-2009
3. TOWER SHALL NOT HAVE EXTERIOR MATERIALS WITH A SHINY OR REFLECTIVE FINISH EXCEPT AS MAY OTHERWISE BE REQUIRED BY THE FEDERAL AVIATION AUTHORITY.
4. FINANCIAL ASSURANCES NOTE: THE APPLICANT SHALL PROVIDE SUCH FINANCIAL ASSURANCES TO THE CITY AS THE CITY MAY REASONABLY REQUIRE WHICH SHALL ENSURE THE PAYMENT OF THE COST OF REMOVAL OF THE WCSF WHEN ABANDONED.
5. ABANDONMENT NOTE: ANY WCSF WHICH IS ABANDONED SHALL BE REMOVED OR DEMOLISHED BY THE OWNER OF THE PROPERTY UPON WHICH THE WCSF IS LOCATED WITHIN 30 DAYS FOLLOWING NOTICE BY THE POD TO THE OWNER. FOR THE PURPOSES OF THIS SECTION, THE TERM "ABANDONED" MEANS THAT NO WCA OR OTHER COMMERCIAL ANTENNA HAS BEEN OPERATIONAL AND LOCATED ON THE WCSF FOR TWO OR MORE YEARS AND THE TERM "OPERATIONAL" MEANS OPERATED COMMERCIALLY FOR AT LEAST 60 CONSECUTIVE DAYS. WHERE A WCSF IS ABANDONED BUT NOT REMOVED OR DEMOLISHED AS REQUIRED HEREBY, THE CITY MAY REMOVE OR DEMOLISH THE WCSF, DISPOSE OF THE WCSF, AND PLACE A LIEN ON THE PROPERTY AND THE WCSF FOR THE COSTS THEREOF BY FOLLOWING THE PROCEDURES (BUT NOT THE CRITERIA) FOR DEMOLITION OF NUISANCE OR UNSAFE STRUCTURES IN CHAPTER 8. IF THE WCSF IS REMOVED AND SOLD BY THE CITY, THE NET PROCEEDS AFTER DEDUCTING THE COSTS OF SUCH SALE SHALL BE CREDITED AGAINST THE COSTS OF REMOVAL. SUCH LIEN ON THE PROPERTY AND CSF SHALL BE SUPERIOR TO ALL OTHER LIENS EXCEPT TAXES. THE LAST OWNER OF THE WCSF SHALL ALSO BE RESPONSIBLE FOR ALL SUCH COSTS.



2 PROPOSED ANTENNA ORIENTATION
SCALE N.T.S.

B+T GRP

APC Towers
3000 AERIAL CENTER PARKWAY, SUITE 110
MORRISVILLE, NC 27560
PH: (919) 324-1943

T-Mobile

FL-1473 (A2H0322)

HYSNI

34TH ST. S
ST. PETERSBURG, FL 33712

PROPOSED UNIPOLE

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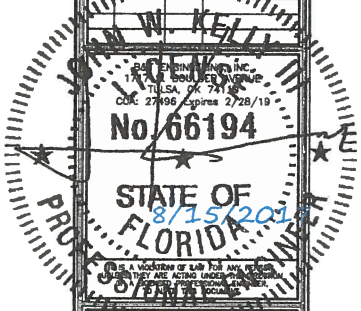
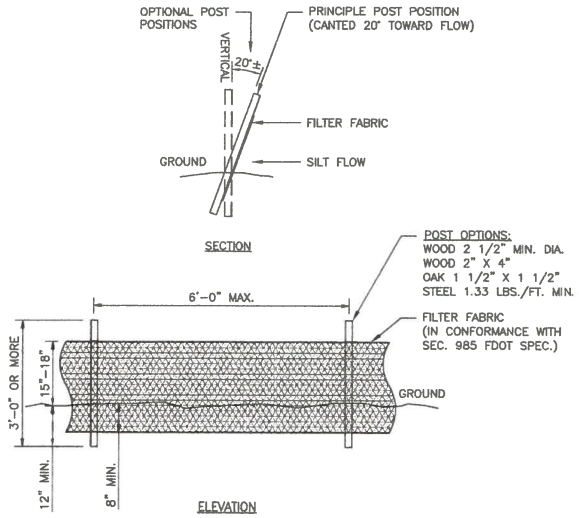
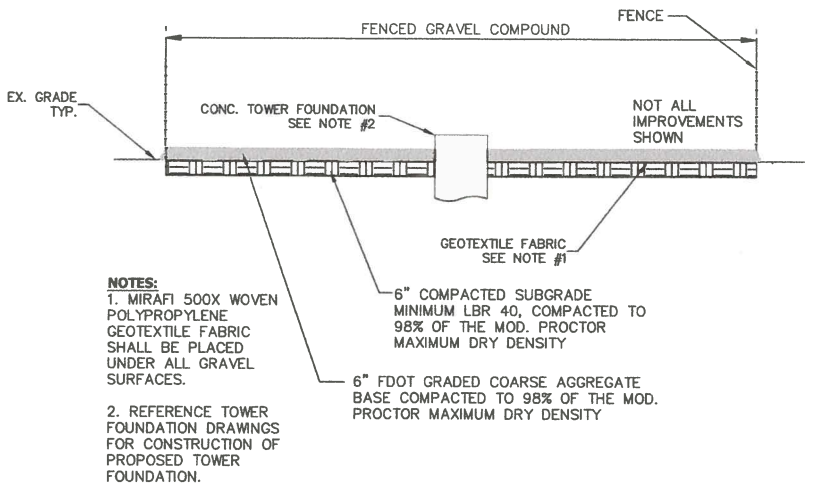


SHEET NUMBER:	REVISION:
C-3	0



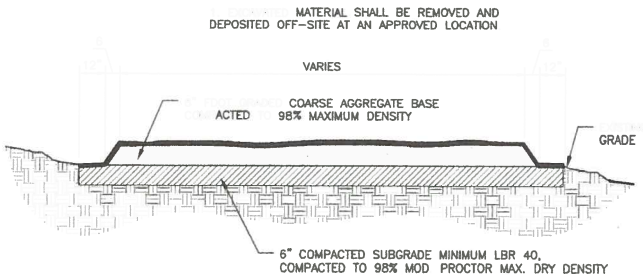
1 F.D.O.T. TYPE III SILT FENCE
SCALE: N.T.S.



NOTES:
1. MIRAFI 500X WOVEN POLYPROPYLENE GEOTEXTILE FABRIC SHALL BE PLACED UNDER ALL GRAVEL SURFACES.

2. REFERENCE TOWER FOUNDATION DRAWINGS FOR CONSTRUCTION OF PROPOSED TOWER FOUNDATION.

2 GRAVEL COMPOUND SECTION
SCALE: N.T.S.



3 "ON GRADE" GRAVEL DRIVE SECTION
SCALE: N.T.S.

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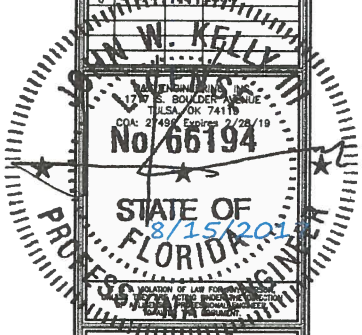
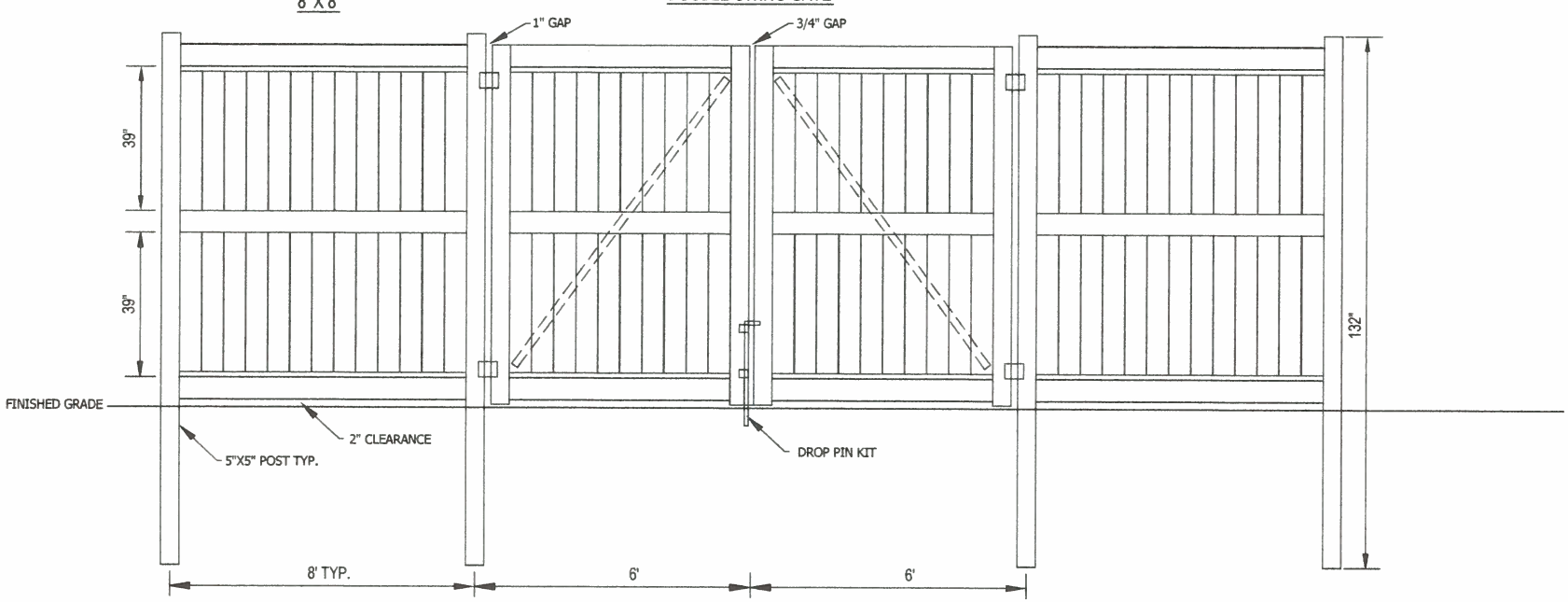


SHEET NUMBER:	REVISION:
C-4	0



SEE ACCOMPANYING SPECIFICATIONS FOR MORE INFORMATION. FENCE INSTALLATION IS TO BE IN ACCORDANCE WITH MANUFACTURERS SHOP DRAWING (800) 333-0569

1 GALVESTON VINYL FENCE DETAIL

N.T.S.

NOTE:

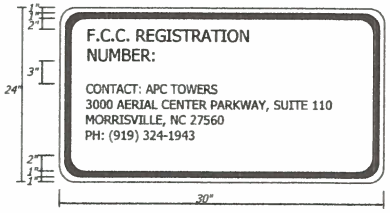
1. ONE (1) NO TRESPASSING SIGN STATING THAT THE POLICE ARE AUTHORIZED TO REMOVE TRESPASSERS AND THE CASE NUMBER OF THE BLAKNET TRESPASS AGREEMENT, SHALL BE PLACED ON EACH SIDE OF THE PROPERTY.

CERTAINTEED CORPORATION FENCE,
DECK & RAIL DIVISION
231 SHIP CANAL PARKWAY
BUFFALO, NY 14218
TOLL FREE:1-800-333-0569
PHONE: (716) 823-3023
FAX: (716) 823-2843
www.certainteed.com

OR OWNER APPROVED EQUIVALENT

CertainTeed
Bufftech®
Vinyl Fence Products

☑ 8' HEIGHT X 8' WIDE
☑ WHITE



F.C.C. REGISTRATION NUMBER:

CONTACT: APC TOWERS
3000 AERIAL CENTER PARKWAY, SUITE 110
MORRISVILLE, NC 27560
PH: (919) 324-1943

1" BORDER - 3" RADII
COLOR:
BACKGROUND - WHITE
LEGEND AND BORDER - BLACK
ALL LETTERS 1 1/2" SERIES C
PER NMDOT INDEX NUMBER 17355
1" SPACING BETWEEN LINES OF TEXT

2 TELECOMMUNICATIONS SIGN DETAIL

N.T.S.

B+T GRP

APC Towers
3000 AERIAL CENTER PARKWAY, SUITE 110
MORRISVILLE, NC 27560
PH: (919) 324-1943

T-Mobile

FL-1473 (A2H0322)

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0	8/10/17	[illegible]	ZONING

JOHN W. KELLY III
LICENSE
No. 66194
STATE OF FLORIDA
PROFESSIONAL ENGINEER
8/15/2017

BAR ENGINEERING, INC.
1707 S. BOULDER AVENUE
TULSA, OK 74119
COA: 27498 Expires 2/28/19

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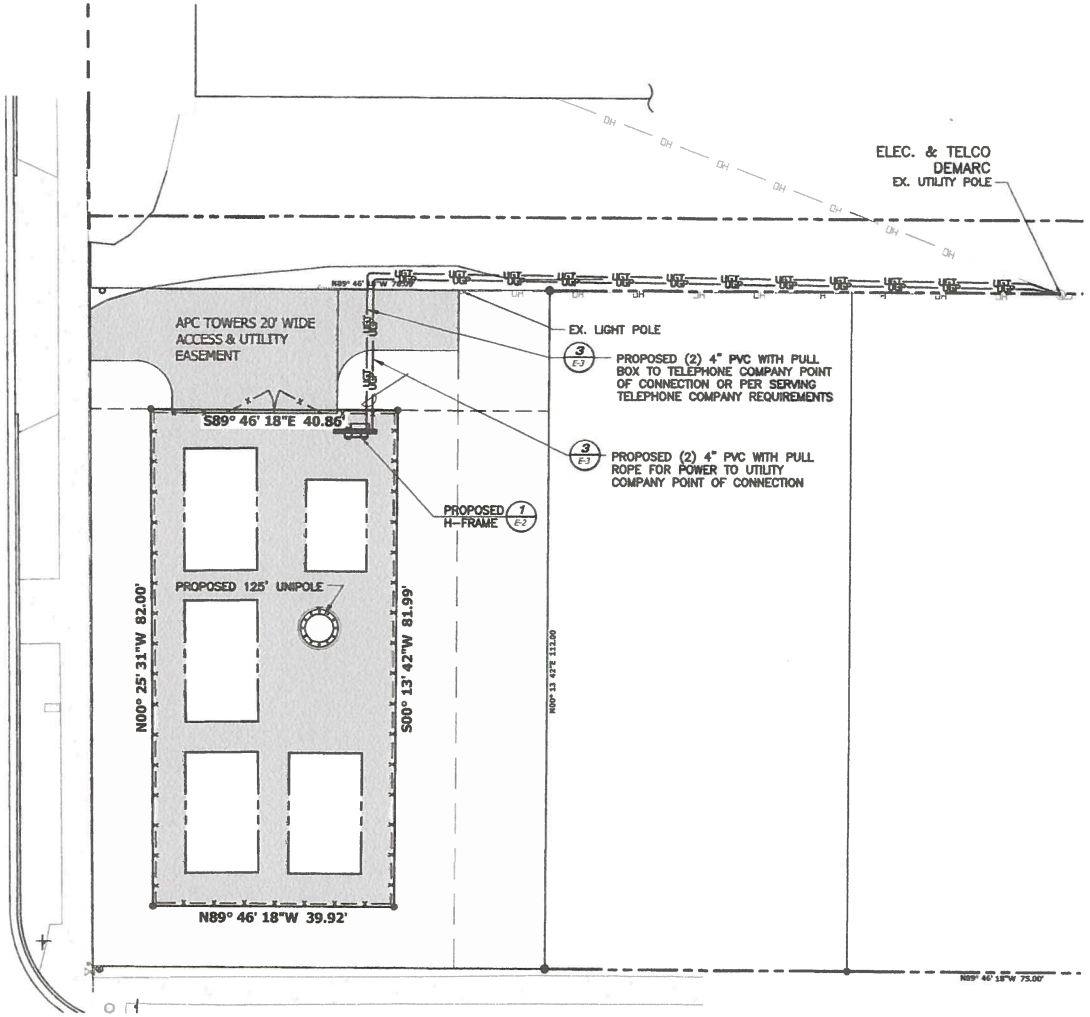
C-5	0



1 UTILITY ROUTING PLAN
SCALE: 1" = 20'

N

POWER & TELEPHONE GENERAL NOTES:

1. CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANY FOR FINAL AND EXACT WORK/MATERIALS REQUIREMENTS AND CONSTRUCT TO UTILITY COMPANY ENGINEERING PLANS AND SPECIFICATIONS ONLY.
2. CONTRACTOR SHALL FURNISH AND INSTALL ALL CONDUIT, PULL WIRES, CABLE PULLBOXES, CONCRETE ENCASEMENT OF CONDUIT (IF REQUIRED), TRANSFORMER PAD, BARRIERS, POLE RISERS, TRENCHING, BACKFILL AND INCLUDE ANY UTILITY COMPANY REQUIREMENTS IN SCOPE OF WORK.
3. SEE SHEET T-1 FOR UTILITY CONTACTS.

GENERAL ELECTRICAL NOTES:

1. REFER TO SPECIFICATIONS DRAWINGS IN THIS SET FOR ELECTRICAL SPECIFICATIONS.
2. REFER TO ELECTRICAL DETAILS WHICH ARE APPLICABLE FOR THE TYPE OF ELECTRICAL AND TELEPHONE SERVICES. VERIFY REQUIREMENTS. FOR ELECTRICAL AND TELEPHONE SERVICES WITH LOCAL UTILITIES BEFORE BIDDING AND INCLUDE IN SCOPE OF WORK.
3. ELECTRICAL CONTRACTOR SHALL PROVIDE AND INSTALL A NEW 800A/2P/800A FUSED MAIN DISCONNECT SWITCH WITH SERVICE ENTRANCE LABEL IN WEATHERPROOF NEMA 3R ENCLOSURE (WHEN REQUIRED BY LOCAL JURISDICTION). VERIFY WITH LOCAL BUILDING INSPECTOR BEFORE BID AND INCLUDE IN SCOPE OF WORK IF REQUIRED.

B+T GRP

APC Towers
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MORRISVILLE, NC 27560
PH: (919) 324-1943

T-Mobile

FL-1473 (A2H0322)

HYSNI

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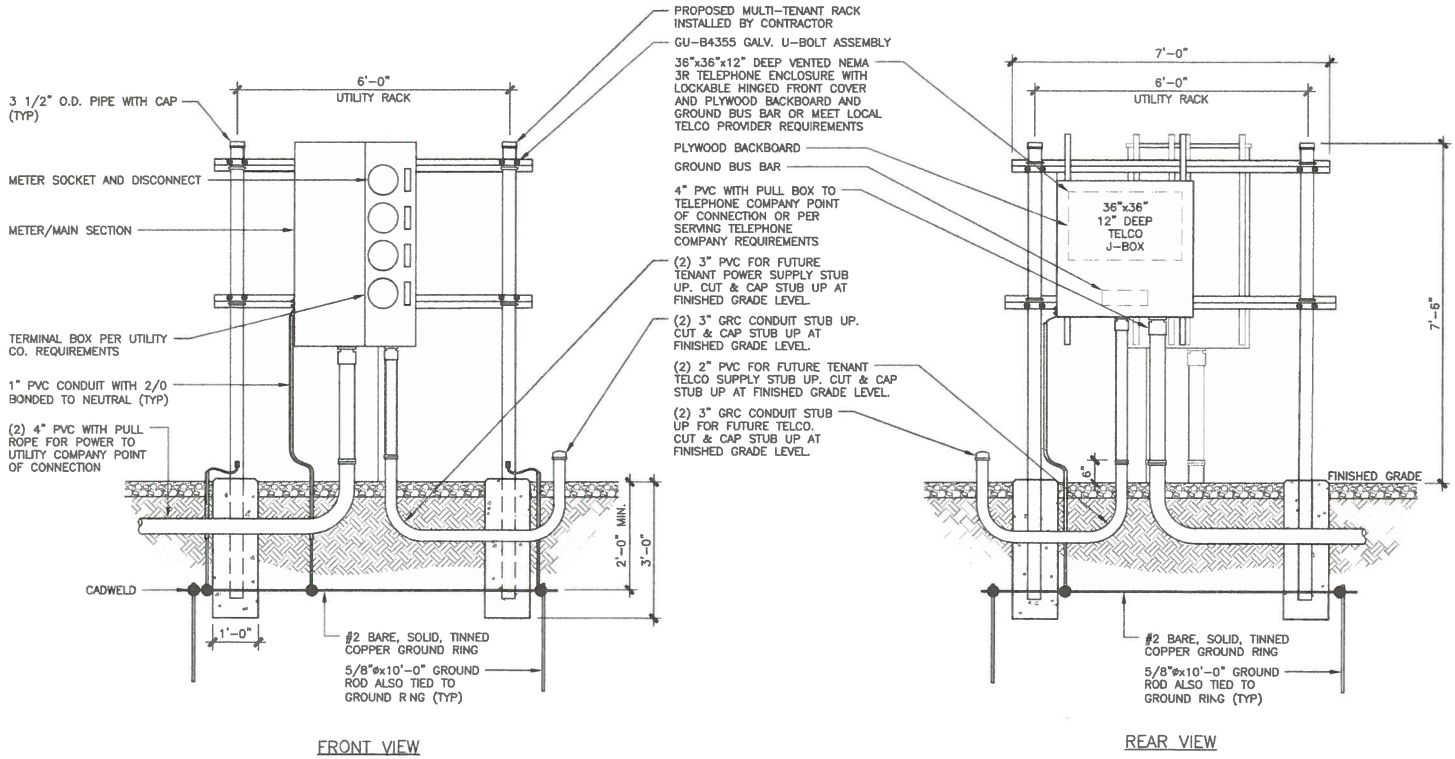
JOHN W. KELLY
LICENSED
No. 66194
STATE OF FLORIDA
PROFESSIONAL ENGINEER
8/15/2019

SHEET NUMBER: E-1
REVISION: 0



FRONT VIEW

REAR VIEW

NOTES:

1. CONTRACTOR SHALL FIELD LOCATE THE UTILITY FRAME AS SHOWN ON SITE PLAN.
2. THE CONTRACTOR SHALL COORDINATE WITH THE LOCAL UTILITY COMPANY FOR THE CONDUIT RUN TO THE MAIN SERVICE CONNECTION OR TRANSFORMER.
3. THE CONTRACTOR SHALL COORDINATE WITH THE LOCAL UTILITY COMPANY FOR THE GROUND ROD REQUIREMENTS. IF REQUIRED, THE CONTRACTOR SHALL ORDER AND PAY FOR NECESSARY GROUND TESTS.
4. ADJUSTMENTS TO THE METER PEDESTAL DESIGN MAY BE REQUIRED DEPENDING ON THE EXACT METER PANEL INSTALLED. CONTRACTOR SHALL FIELD COORDINATE ADJUSTMENTS AND INFORM THE ENGINEER IF ANY UNUSUAL CONDITIONS ARE FOUND TO EXIST.
5. BOND TELCO BOX TO GROUND PER PHONE COMPANY REQUIREMENTS.
6. REFER TO ELECTRICAL SHEETS FOR ADDITIONAL EQUIPMENT INFORMATION

1 UTILITY RACK ELEVATIONS
SCALE N.T.S

B+T GRP

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STATE OF FLORIDA
PROFESSIONAL ENGINEER
8/15/2019

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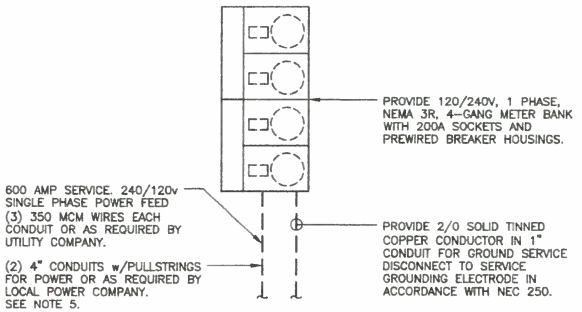
E-2	0

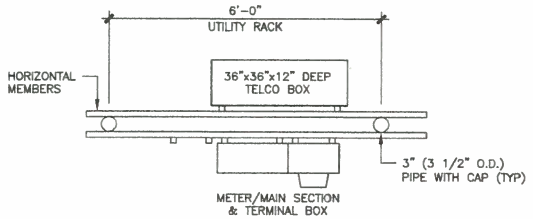


NOTES:

1. FOR STANDARD GENERAL ELECTRICAL SPECIFICATIONS, SEE SHEET GN-2.
2. FOR SITE SPECIFIC UTILITY CONDUIT LAYOUT, SEE SHEET E-1.
3. ALL CONDUIT RACEWAYS SHALL BE INSTALLED PER UTILITY TRENCH DETAIL SHOWN ON SHEET E-3.
4. CONTRACTOR SHALL ENSURE ALL ELECTRICAL EQUIPMENT IS SUITABLE FOR AVAILABLE FAULT CURRENT.
5. CONTRACTOR SHALL ROUTE POWER CONDUIT(S) AS SHOWN ON SHEET E-1. COORDINATE ELECTRICAL SERVICE WITH UTILITY COMPANY.
6. ONE-LINE DIAGRAM IS SCHEMATIC ONLY, NOT INDICATIVE OF ACTUAL EQUIPMENT LAYOUT.

1 ONE-LINE DIAGRAM

SCALE: N.T.S.

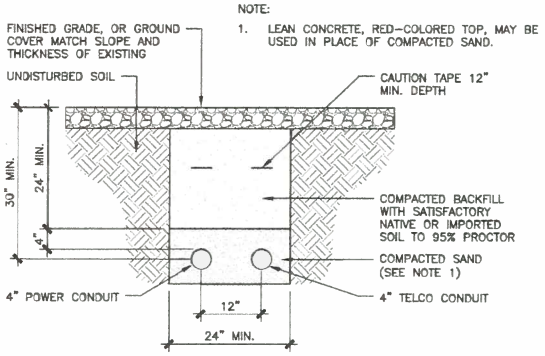


2 UTILITY RACK PLAN VIEW

SCALE: N.T.S.

NOTE:

1. LEAN CONCRETE, RED-COLORED TOP, MAY BE USED IN PLACE OF COMPACTED SAND.



3 TRENCH TO SOURCE DETAIL

SCALE: N.T.S.

B+T GRP

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8/15/2017

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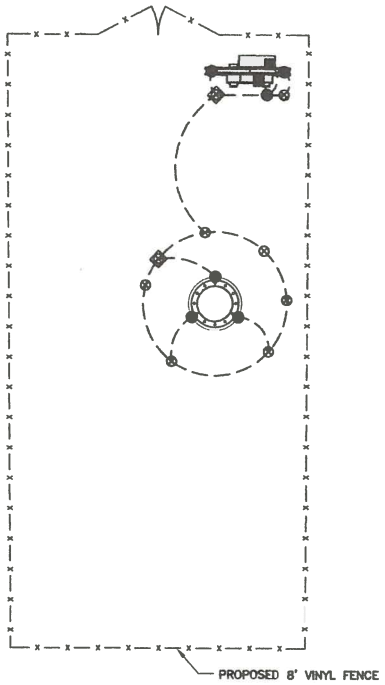
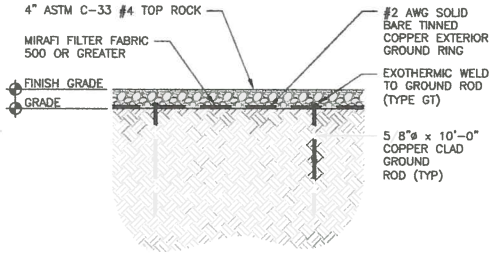


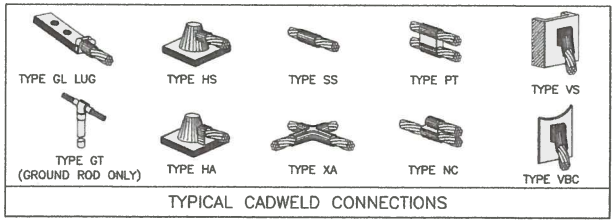
GROUNDING LEGEND

- ◈ –5/8"x10'–0" COPPER CLAD GROUND ROD WITH INSPECTION WELL (FIELD VERIFY LOCATION WITH MANAGER)
- ⊗ –5/8"x10'–0" COPPER CLAD GROUND ROD AT 15'–0" MAX. CENTERS
- ■ –MECHANICAL CONNECTION
- ● –EXOTHERMIC WELD (CAD WELD)
- – – –#2 SOLID COPPER TINNED WIRE UNLESS NOTED OTHERWISE

GROUNDING NOTES:

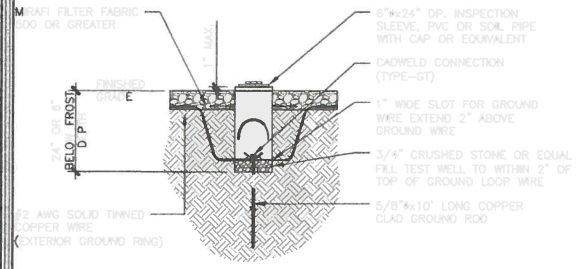
1. ALL ELECTRICAL AND GROUNDING AT THE CELL SITE SHALL COMPLY WITH THE NATIONAL ELECTRICAL CODE (NEC), NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 780 (LATEST EDITION), AND MANUFACTURER.
2. IF THE AC PANEL IN THE POWER CABINET IS WIRED AS SERVICE ENTRANCE, THE AC SERVICE GROUND CONDUCTOR SHALL BE CONNECTED TO GROUND ELECTRODE SYSTEM. WHEN THE AC PANEL IN THE POWER CABINET IS CONSIDERED A SUB–PANEL, THE GROUND WIRE SHALL BE INSTALLED IN THE AC POWER CONDUIT. THE INSTALLATION SHALL BE PER LOCAL AND NATIONAL ELECTRIC CODE (NFPA–70).
3. EXOTHERMIC WELDING IS RECOMMENDED FOR GROUNDING CONNECTION WHERE PRACTICAL. OTHERWISE, THE CONNECTION SHALL BE MADE USING COMPRESSION TYPE–2 HOLES. LONG BARREL LUGS OR DOUBLE CRIMP CLAMP "C" CLAMP. THE COPPER CABLES SHALL BE COATED WITH ANTIOXIDANT (COPPER SHIELD) BEFORE MAKING THE CONNECTIONS. THE MANUFACTURER'S TORQUING RECOMMENDATIONS ON THE BOLT ASSEMBLY TO SECURE CONNECTIONS ARE TO BE FOLLOWED.
4. PROVIDE PVC SLEEVES WHERE GROUNDING CONDUCTORS PASS THROUGH THE BUILDING WALLS AND /OR CEILINGS.
5. INSTALL GROUND BUSHINGS ON ALL METALLIC CONDUITS AND BOND TO THE EQUIPMENT GROUND BUS IN THE PANEL BOARD.
6. GROUND ANTENNA BASES, FRAMES, CABLE RACKS AND OTHER METALLIC COMPONENTS WITH #2 GROUNDING CONDUCTORS AND CONNECT TO INSULATED SURFACE MOUNTED GROUND BARS. CONNECTION DETAILS SHALL FOLLOW MANUFACTURER'S SPECIFICATIONS FOR GROUNDING.
7. GROUND FIELD TEST PROCEDURE:
   A. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE A "FALL OF POTENTIAL" TEST ON THE NEW SUPPLEMENTAL GROUND FIELD PRIOR TO FINAL CONNECTION OF THE GROUNDING SYSTEM TO EQUIPMENT. THE TEST SHALL BE PERFORMED BY A QUALIFIED AND CERTIFIED TESTING AGENT. PROVIDE INDEPENDENT TEST RESULTS TO THE PROJECT MANAGER FOR REVIEW. THE GROUND SYSTEM RESISTANCE TO EARTH GROUND SHALL NOT EXCEED FIVE (5) OHMS. IF THE GROUND TEST EXCEEDS THE MAXIMUM OF 5 OHMS THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE ADDITIONAL GROUND CONNECTIONS AS REQUIRED TO MEET THE 5 OHMS MAXIMUM.



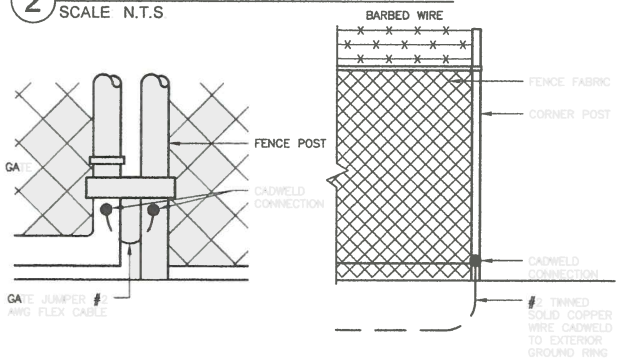


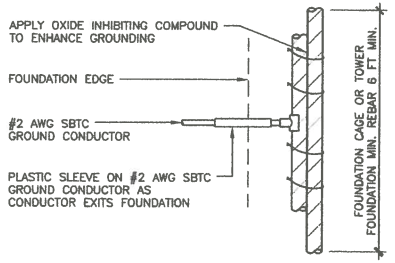
TYPICAL CADWELD CONNECTIONS

1 GROUNDING PLAN
SCALE N.T.S



2 GROUND RING DETAIL
SCALE N.T.S





6 SHELTER/TOWER FOUNDATION GROUNDING DETAIL
SCALE: N.T.S.

3 GROUND TEST WELL
SCALE: N.T.S.

4 GATE GROUNDING
SCALE: N.T.S.

5 FENCE GROUNDING
SCALE: N.T.S.

B+T GRP

APC Towers
3000 AERIAL CENTER PARKWAY, SUITE 110
MORRISVILLE, NC 27560
PH: (919) 324–1943

T-Mobile

FL-1473 (A2H0322)

HYSNI

34TH ST. S
ST. PETERSBURG, FL 33712

PROPOSED UNIPOLE

SCALE VERIFICATION
BAR IS ONE INCH ON ORIGINAL DRAWING.
0 —— 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

PROJECT NO:	113369
CHECKED BY:	GAM

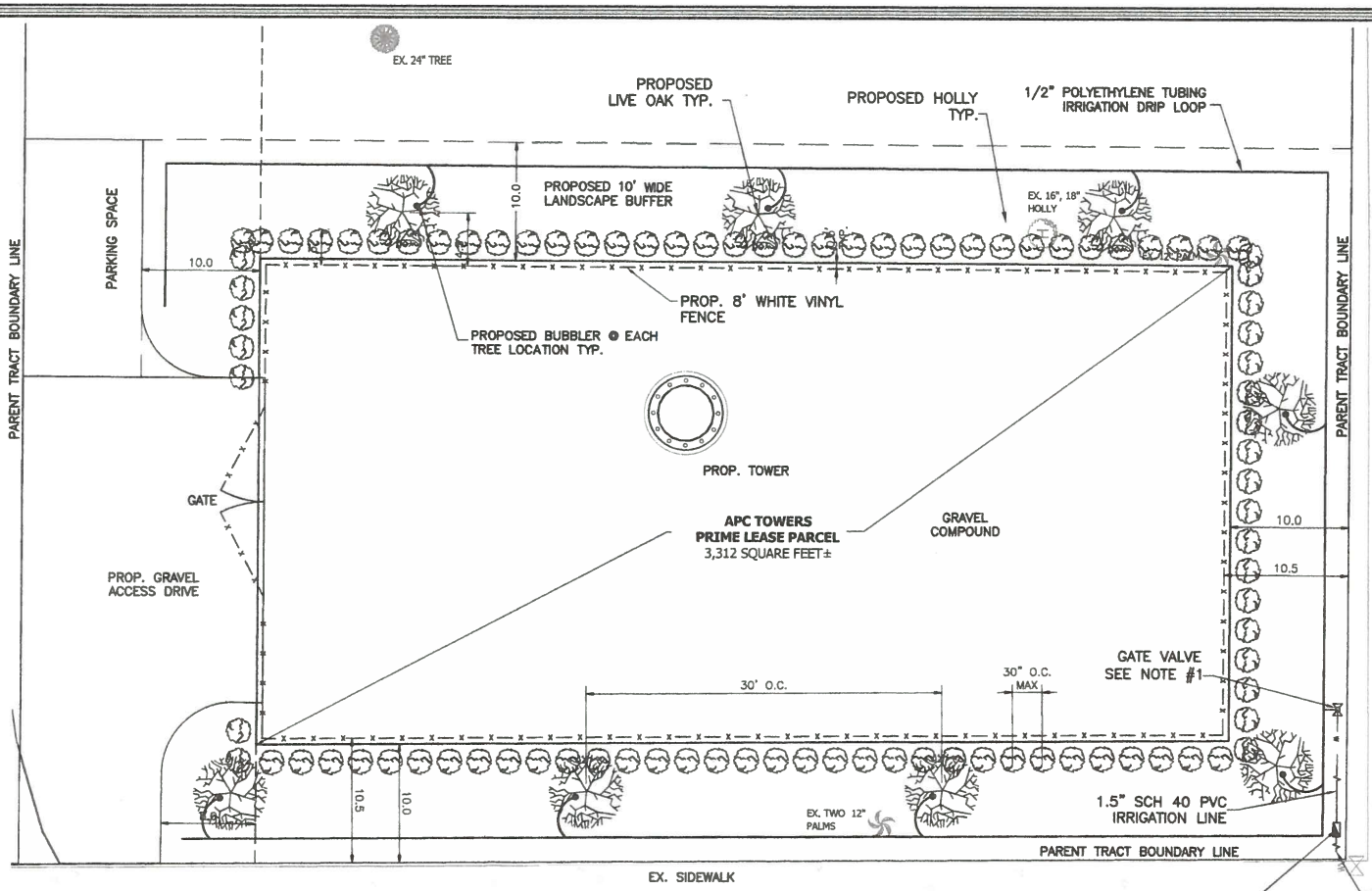
ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
0	8/14/19	MET	ZONING

JOHN W. KELLY
LICENSED PROFESSIONAL ENGINEER
No. 66194
STATE OF FLORIDA
8/15/2019

JOHN W. KELLY, PE, INC.
1717 S. BOULDER AVENUE
TULSA, OK 74119
COA: 27405 EXPIRES: 6/30/19

SHEET NUMBER:	REVISION:
G-1	0



LANDSCAPE NOTES:

1. SEE SHEET GN-1 AND GN-2 FOR LEGEND, ABBREVIATIONS & GENERAL NOTES.

2. SEE SHEET L-2 FOR LANDSCAPE PLANTING DETAILS.

3. EXISTING VEGETATION SHALL BE PRESERVED TO MAXIMUM EXTENT PRACTIABLE. EXISTING TREES TO BE PROTECTED WITH TREE BARRICADES DURING CONSTRUCTION.

4. VEGETATION SHALL BE MAINTAINED IN A HEALTHY STATE AND VEGETATION THAT PERISHES OR FAILS TO THRIVE SHALL BE REPLACED.

IRRIGATION NOTES:

1. PROPOSED 1 ½" GATE VALVE WITH BACKFLOW PREVENTION DEVICE. THE IRRIGATION SYSTEM SHALL PROMOTE WATER CONSERVATION THROUGH THE USE OF RAIN GAUGE EQUIPMENT TO AVOID IRRIGATION DURING PERIODS OF SUFFICIENT RAINFALL PREVENTING UNNECESSARY WATER USAGE.

2. ALL PVC JOINTS AND CONNECTIONS SHALL BE SOLVENT WELDED.

3. EXACT LOCATION OF UNDERGROUND PVC AND SPRAY HEADS SHALL BE FIELD MODIFIED TO ACCOMMODATE LANDSCAPE PLANTINGS.

4. A PLANT MATERIAL SHALL BE PLACED ON A WATERING SCHEDULE TO ENSURE GOOD HEALTH AND VITALITY. WATERING SHALL OCCUR FIVE (5) DAYS PER WEEK FOR THE FIRST FOUR WEEKS, THREES DAYS A WEEK FOR THE FOLLOWING NINETY DAYS, AND ONCE TO TWICE A WEEK FOR THE NEXT SIX (6) MONTHS OR UNTIL ESTABLISHED. EACH WATERING CYCLE SHALL BE 20-25 PER CYCLE.

5. CONTRACTOR TO COORDINATE IRRIGATION LINE, METER AND CONNECTION WITH CITY OF ST. PETERSBURG UTILITIES.

1 LANDSCAPING PLAN
SCALE 1" = 10'

N

B+T GRP

APC Towers
3000 AERIAL CENTER PARKWAY, SUITE 110
MORRISVILLE, NC 27560
PH: (919) 324-1943

T-Mobile

FL-1473 (A2H0322)

HYSNI

34TH ST. S
ST. PETERSBURG, FL 33712

PROPOSED UNIPOLE

SCALE VERIFICATION
0 — BAR IS ONE INCH ON ORIGINAL DRAWING. — 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

SCALE: 1"=10'

PROJECT NO:	113369
CHECKED BY:	GAM

ISSUED FOR:

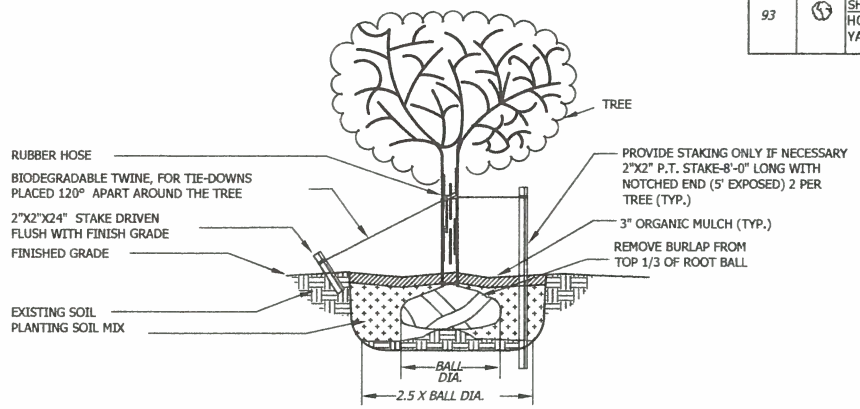
REV	DATE	DRWN	DESCRIPTION
0	8/10/17	JAS	ZONING

JOHN W. KELLY III
L-CEN
B&S ENGINEERING, INC.
1717 E. BOULDER AVENUE
TULSA, OK 74119
COA: 27396 Expires 2/28/19
No. 66194
STATE OF FLORIDA
PROFESSIONAL ENGINEER
8/15/2017
THIS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER.

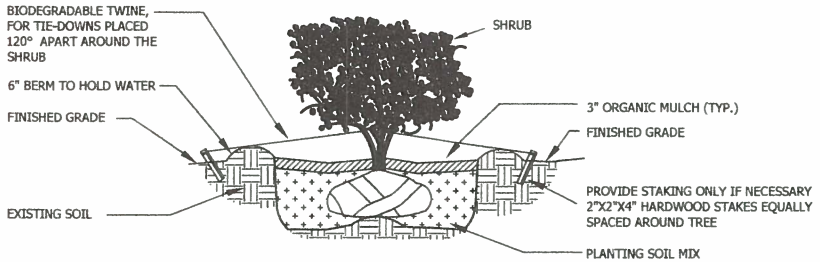
SHEET NUMBER:	REVISION:
L-1	0

PLANT SCHEDULE					
QTY.	SYM.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
8		SHADE TREE LIVE OAK	QUERCUS VIRGINIANA	MINIMUM OF TEN FT. IN HEIGHT AND TWO INCHES DIAMETER AT BREAST HEIGHT (DBH) AT THE TIME OF PLANTING	PLANT 4.5' FROM FENCE, 30' O.C. MAX.
93		SHRUB HOLLY, DWARF YAUPON	ILEX VOMITORIA "SCHILLING DWARF" DWARF CALTIVARS OR VARIETIES	24" MIN. HEIGHT AT PLANTING	PLANT 2.0' FROM FENCE, 30" O.C.

ALL SHADE TREES AND SHRUBS SHALL BE RATED FLORIDA GRADE NO. 1



1 TREE PLANTING DETAIL
SCALE: N.T.S.



2 SHRUB PLANTING DETAIL
SCALE: N.T.S.

PLANTING NOTES:

1. MULCH WITH 4" MIN. ORGANIC MULCH.
2. LANDSCAPE CONTRACTOR TO GUARANTEE AND MAINTAIN TREES AND SHRUBS FOR 180 DAYS.
3. ALL TRIMMING OF EXISTING TREES TO BE PERFORMED BY LICENSED ARBORIST.
4. ALL NEW PLANT MATERIAL WILL BE FLORIDA GRADE #1 OR BETTER, HEALTHY, DISEASE FREE, AND PEST FREE.
5. ALL PROPOSED LANDSCAPING IS REQUIRED AND SHALL BE PROPERLY MAINTAINED TO ENSURE GOOD HEALTH & VITALITY.
6. SEED, MULCH AND FERTILIZE ALL DISTURBED AREAS.
7. REFER TO LANDSCAPE PLAN, SHEET L-1 FOR PLANTING LOCATION.

B+T GRP

APC Towers
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PH: (919) 324-1943

T-Mobile

FL-1473 (A2H0322)

HYSNI

34TH ST. S
ST. PETERSBURG, FL 33712

PROPOSED UNIPOLE

SCALE VERIFICATION
0 — BAR IS ONE INCH ON ORIGINAL DRAWING. — 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

SCALE: 1"=20'

PROJECT NO:	113369
CHECKED BY:	GAM

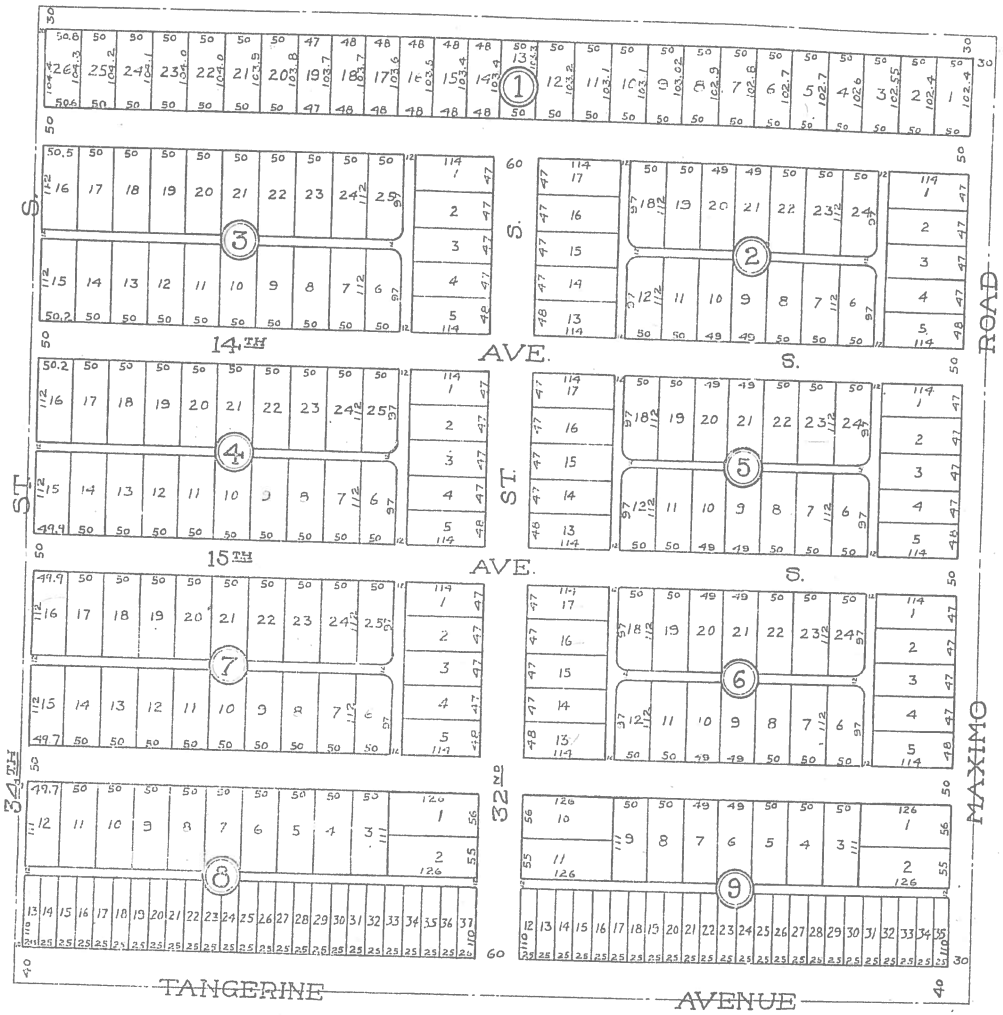
ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
0	[illegible]	[illegible]	[illegible]

JOHN W. KELLY III
LICENSE
No. 66194
STATE OF FLORIDA
PROFESSIONAL ENGINEER
8/15/2017

B+T ENGINEERING, INC.
717 S. BOULDER AVENUE
TULSA, OK 74119
PH: 2749 Expires 2/28/19

SHEET NUMBER: L-2
REVISION: 0



TANGERINE TERRACE

BAYNARD AND THORN, AGENTS.

667 – CENTRAL AVENUE ..... PHONE 1830

BEING A SUBDIVISION OF THE NW¼ OF SW¼ OF SECTION 26, TOWNSHIP 31, SOUTH, RANGE 16 EAST PINELLAS COUNTY, FLORIDA.

FILED FEBRUARY 26, 1925 – 9:30 A.M.
A.B. O'QUINN, CLK.
C. NELSON, D.C.

SCALE 1" = 100'

OFFICE OF G.F. YOUNG.
CIVIL & LANDSCAPE ENGINEER
ST PETERSBURG & TAMPA, FLA.

Exhibit 3

Case #17-32000020

Project Narrative and Applicant's Exhibits

Law Office of Mattaniah S. Jahn, P.A.

800 Tarpon Woods Boulevard, Suite E-1
Palm Harbor, Florida 34685
Telephone: (727) 773-2221
Facsimile: (727) 773-2616

RECEIVED
JUL 17 2017
DEVELOPMENT REVIEW SERVICES

SENT VIA HAND DELIVERY

July 17, 2017

Elizabeth Abernethy, AICP
Development Review Services Manager
City of St. Petersburg Planning and Economic Development Dept.
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: APC Towers, LLC – FL-1473/Hysni
Parcel 26-31-16-89676-004-0140
Special Exception and Site Plan Review Requests for New 125' AGL Monopole Communication Tower

Dear Ms. Abernethy:

On behalf of my client, APC Towers, LLC ("APC") please find the included Special Exception and Site Plan Review application to allow a new 125' AGL Wireless Communication Support Facility ("WCSF") along with supporting documentation:

- Special Exception and Site Plan Review Application – 1 original
  - Pre-Application Notes
  - Neighborhood Worksheet
  - Neighborhood Notice Letters
  - Neighborhood Notice Emails
- Application Fee Check for $1,000.00
- Agent of Record Affidavits.
  - APC Towers, LLC to Mattaniah S. Jahn, Esq.
  - T-Mobile South, LLC to Mattaniah S. Jahn, Esq.
- Deed and agreement to sell to APC
- Legal descriptions on 8.5" x 11" and a copy in .docx
- Application for FAA Determination of No Hazard to Air Navigation
- RF Package:
  - T-Mobile Letter of Intent
  - Color RF propagation Maps
  - Search Area Ring
- Colocation offer Letters emailed to ATT, Verizon, and Sprint
- Colocation Affidavit.
- Fall Zone Letter – 1
- Site Plan Packets – 2 signed and sealed originals.

- Boundary Survey
- Compound plan sheets.
- Elevation
- Landscape and Irrigation Plan

- A copy of all the above listed documents on DVD

Summary of Project

APC respectfully requests a Special Exception and Site Plan Review Approval for parcel number 26-31-16-89676-004-0140 to allow the construction of a 125' AGL monopole style WCSF and supporting compound ("Monopole"). The Monopole's parent parcel is neighbored by 34th Street South to the West, residentially used Corridor Commercial Suburban - 1 ("CCS-1") zoned land to the East, and commercially used CCS-1 zoned land to the North and South. APC's proposed compound consists of 3,280 square feet MOL. The parent parcel currently carries a CCS-1 zoning designation and a Planned Redevelopment – Mixed Use ("PR-MU") future land use designation.

Applicable Land Development Code

SECTION 16.50.480. - WIRELESS COMMUNICATION ANTENNA, STRUCTURE

…

16.50.480.2. - Wireless communication antennae (WCA).

A. …

B. No personnel shall be allowed on the premises except as necessary for maintenance and repair.

C. Accessory equipment storage areas shall be no greater than 15 feet in height and shall meet all zoning requirements.

D. …

E. …

F. Accessory equipment storage areas are prohibited in any government rights-of-way except interstate rights-of-way.

G. The installation of a WCA in any zoning district shall be reviewed by the POD. The POD shall approve such requests that meet the requirements of these regulations and F.S. § 365.172. Such review by the POD shall be without notice.

H. …

Noted.

16.50.480.3. - Wireless communication support facilities (WCSFS).

A. *General criteria.*

1. WCSFs shall be constructed in compliance with the Florida Building Code.

Please see Sheet T-1.

2. WCSFs shall comply with all applicable Federal Aviation Administration requirements.

Please see the enclosed Application for FAA Determination of No Hazard to Air Navigation.

3. WCSFs shall not be used for advertising purposes and all signage or symbols are prohibited.

Noted.

4. WCSF's shall meet all requirements of the zoning district that are not in conflict with these regulations.

Noted.

5. A WCSF may be located on a lot containing other principal uses. In such cases, the area within which the WCSF is located shall be defined by landscaping or, where landscaping is not required, by fencing. The area may be smaller than the minimum lot size of the applicable zoning district.

APC is proposing to locate the Monopole within an 3,280 sqft MOL compound on an 8,449 sqft MOL parent parcel. Please see Survey Sheet.

6. If a WCSF is located on a lot as the only principal permitted use, the minimum lot size shall be 5,000 square feet with a minimum lot width of 50 feet.

The parent parcel will be located on an 8,449 sqft parent parcel and therefor exceeds the minimum lot requirements in both this section in Section 16.20.090. Please see Survey Sheet.

7. Minimum yard requirements shall be measured from the lot boundary to the nearest point of the WCSF or the accessory equipment storage area, whichever is closer to the lot boundary.

The Monopole will be set back as follows:

Required:		**Provided:**	
North:	**36'**	**North:**	**56'**
South:	**36'**	**South:**	**56'**
East:	**36'**	**East:**	**37.7'**
West:	**36'**	**West:**	**37.7'**

The compound will be set back as follows:

Required:		**Provided:**	
North:	**20'**	**North:**	**20.5'**
South:	**10'**	**South:**	**10.5'**
East:	**25'**	**East:**	**25.5'**
West:	**10'**	**West:**	**10.5'**

Therefore, the Monopole and its compound will exceed all required setbacks. Please see Sheet C-1.

8. WCSFs shall have a landscaped buffer so that the base of the WCSF and accessory equipment storage area shall be screened from view from any right-of-way, residential use or residential zoning district. Such landscaped buffer shall consist of hedges planted leaf to leaf which shall reach a height of not less than six feet at maturity and shade trees of at least three inches dbh planted every 30 feet along the approved buffer unless safety requirements of the principal use require otherwise (i.e., utility substations).

A code required landscape buffer will be provided on all sides of the Monopole. Please see Sheet L-1.

9. The construction of the WCSF shall be of monopole design unless it can be demonstrated that such design is not feasible to accommodate the user or co-location.

APC is proposing to use a monopole design. Please see Sheet C-3.

10. The application shall contain information showing the geographic search area within which the proposed WCSF must be located and shall also provide locations of all structures of similar height within and adjacent to the search area.

Please see the enclosed RF package.

11. If co-location or location as a permitted accessory use is not proposed, then the applicant shall demonstrate in the application why co-location or location as a permitted accessory use is not possible.

APC will make the Monopole available for colocation at reasonable market rates. Please see the enclosed Colocation Affidavit.

12. WCSFs shall not have exterior materials with a shiny or reflective finish.

The Monopole will have a dull grey galvanized finish.

13. The applicant shall provide such financial assurances to the City as the City may reasonably require which shall ensure the payment of the cost of removal of the WCSF when abandoned (for example: letter of credit, bond, cash held by the City).

Noted.

C. *Review criteria for all new WCSFs, except replacement WCSFs.*

1. A new WCSF shall not be approved unless it can be demonstrated by the applicant that there is no existing WCSF or other structures or replacement of an existing WCSF that can be used for the placement of a WCA. Information concerning the following factors, which shall be provided by the applicant, shall be considered in determining whether such locations exist:

   a. Insufficient structural capacity of existing WCSFs or other suitable structures and infeasibility of reinforcing or replacing an existing WCSF;

   b. Unavailability of suitable locations (including other sites within the zoning districts listed in columns B and C of the use matrix for WCSFs (section 16.50.480.7) to accommodate system design or engineering on an existing WCSF or other structures;

c. Radio frequency interference or other signal interference problems at existing WCSF or other structures;

d. A comparative evaluation (which may include cost studies) for the placement of a new WCSF versus the utilization of existing WCSFs, other structures (such as buildings or power transmission poles), the availability of alternative technologies or the placement of multiple smaller height WCSFs as alternatives to provide the same level of service. However, the fact that the use of an existing WCSF or other structure would cost more than the cost of constructing a new WCSF will not, absent other factors, justify approval;

e. Other factors which demonstrate the need for the new WCSF.

Please see the enclosed T-Mobile RF Package indicating why the Monopole is the only location that achieves T-Mobile's RF objectives.

2. The applicant shall include a statement in the application of its good faith intent to allow the co-location of the WCA of other entities, provided that the cost of modifying the WCSF to accommodate the co-location WCA is borne by the co-locating entity.

Please see the enclosed colocation affidavit.

3. The applicant shall send a written notice to all potential users of the new WCSF offering an opportunity for co-location. The list of potential users shall be provided by the City based on those entities who have requested approval of WCSF in the past, current FCC license holders and any other entities requesting to be included on the list. Copies of the notice letters shall be provided to the City at the time the application is filed. If, during a period of 30 days after the notice letters are sent to potential users, a user or users request, in writing, to co-locate on the new WCSF, the applicant shall accommodate the request, unless co-location is not reasonably possible.

Please see the enclosed colocation offer letters and emails.

4. WCSFs shall not exceed 150 feet in height. WCSFs over 100 feet in height shall be designed for co-location of at least one other WCA.

The Monopole will be 125' AGL and, therefore, will be shorter than the 150' ceiling.

5. WCSFs shall meet all general criteria.

Noted.

6. The installation of a WCSF in any zoning district listed in column C of the Use Matrix for WCSFs (section 16.50.480.7) must be reviewed by the POD prior to installation. The POD shall review all such WCSFs and shall approve such WCSFs that meet the requirements of this section. Such review by the POD shall be without notice.

The Monopole is proposed to be located on a parent parcel zoned CCS-1 and would therefore normally be permitted by right. However, due to the proximity of residentially used CCS-1 and CRT zoned parcels to the East, the Monopole requires review by the DRC/POD as part of the Monopole's approval.

D. Additional criteria for special exception review of new WCSFs, except replacement WCSFs.

1. WCSFs shall meet all general and review criteria.

Noted.

2. WCSFs which are located within 250 feet of a lot used for a residential use in the zoning districts listed in column A of the use matrix for WCSFs (section 16.50.480.7) as measured from the base of the WCSF, or located on a designated landmark or within a local or National Register of Historic District shall be special exception uses subject to review and approval by the Development Review Commission.

The parcel neighboring the Monopole's parent parcel to the East, while zoned CCS-1, is used for residential purposes. Therefore, APC submits this application for special exception review. Please see Survey Sheet.

3. WCSFs in the zoning districts listed in column A of the use matrix for WCSFs shall be located on lots of not less than four acres.

N/A

4. WCSFs in the zoning districts listed in column A of the use matrix for WCSFs (section 16.50.480.7) shall be located only on property which is owned and used as a principal permitted use by:

a. A federal, state or local government agency.
b. A school, college or university.
c. A utility company.
d. A house of worship.
e. A cemetery.
f. A club, including community service and fraternal clubs.
g. A golf course and associated facilities.
h. A hospital.
i. A property owners association on a site in an NSM zoning district.
j. Other such entities on properties not used for a residential use.

N/A

5. If the WCSF is not entirely surrounded by commercial or industrial uses, a written justification showing why other sites are not reasonable.

Please see the enclosed RF Package.

6. WCSFs proposed to be located on a historic landmark or in a designated local or National Register Historic District shall be denied if the WCSF creates a detrimental impact on the historic character of the historic landmark or district.

N/A

7. The POD may require a visual line-of-site analysis to assess impacts of the WCSF. Such analysis may require the applicant to provide visualization of the WCSF on site which may include graphic representations, balloons, crane or other acceptable method.

Noted.

8. The review shall consider the comparative evaluation provided by the applicant of alternative methods (placement of a new WCSF versus other alternatives) or alternative site to accomplish the same level of service and shall evaluate the impacts on surrounding

properties (including the impact of multiple WCSF's within proximity of the subject application).

Noted.

9. The review of WCSFs in the zoning districts listed in column A of the use matrix for WCSFs or within 250 feet thereof shall include but not be limited to whether impacts on the surrounding residential properties need to be minimized through additional setbacks, buffering, tower appearance and other visual impacts.

Noted.

16.50.480.4. - Abandoned WCSFs.

Any WCSF which is abandoned shall be removed or demolished by the owner of the property upon which the WCSF is located within 30 days following notice by the POD to the owner. For the purposes of this section, the term "abandoned" means that no WCA or other commercial antenna has been operational and located on the WCSF for two or more years and the term "operational" means operated commercially for at least 60 consecutive days. Where a WCSF is abandoned but not removed or demolished as required hereby, the City may remove or demolish the WCSF, dispose of the WCSF, and place a lien on the property and the WCSF for the costs thereof by following the procedures (but not the criteria) for demolition of nuisance or unsafe structures in chapter 8. If the WCSF is removed and sold by the City, the net proceeds after deducting the costs of such sale shall be credited against the costs of removal. Such lien on the property and WCSF shall be superior to all other liens except taxes. The last owner of the WCSF shall also be responsible for all such costs.

Please see Sheet C-3, Note 6.

16.50.480.5. - Notice.

Entities which own a WCA or other commercial antenna on a WCSF shall provide written notice to the City when such WCAs or commercial antennae are no longer operational or located on the WCSF.

Noted.

16.50.480.7. - Use matrix for WCSFs.

Wireless Communication Locations		
Column A	**Column B**	**Column C**
Special exception reviewed by the Development Review Commission	Special exception reviewed by the POD with notice except as otherwise required by this section	Permitted by right
NT: only on property of a federal, state or local government agency, a school, college and/or university or a utility company NSM, NPUD, NS, CRT	DC-1: west of Dr. ML King Jr. Street, DC-2, RC, EC	CCT, CRS, CCS, IT, DC-1: east of Dr. ML King Jr. Street DC-C, DC-3 and DC-P, IT, IS, IC

16.70.040.1.5. - Special exceptions.

...

D. *Standards for review.* In addition to the standards of review for a zoning and planning decision generally, a decision rendered under this section shall be guided by the following factors:

1. The use is consistent with the Comprehensive Plan;
2. The property for which a special exception is requested shall have valid land use and zoning for the proposed use prior to the public hearing;

The Monopole's parent parcel is currently vacant, is zoned CCS-1, and holds a Future Land Use designation of PR-MU.

3. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and county roads shall be based on the latest access management standards of FDOT or the county, respectively;

The Monopole will be unstaffed and, therefore, will only require power, telco, and reclaimed irrigation water utility connections. The Monopole will be serviced on average by one technician in a pickup sized vehicle per carrier per month and will provide a parking space in the Monopole's access drive. APC is proposing to use the existing alley way to the north to access the Monopole's compound. Please see Sheet C-2.

4. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

APC proposes to provide an off-street parking spot on the North end of the Monopole's parent parcel. Please see Sheet C-2.

5. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

The Monopole will be serviced by one technician per carrier per month, totaling 5 trips per month on average once the Monopole is fully leased out. Therefore, APC respectfully submits that the Monopole will a *de minimus* impact on area traffic and that further study would be unnecessary.

6. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval of a drainage plan as required City ordinance, county ordinance, or SWFWMD;

Please see the proposed impervious calculations on Sheet C-1.

7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

APC will install no signage other than "No Trespassing" signs and signage which is required by the FCC for site registration and security. Please see Sheet C-5. Sign detail

8. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

No building frontages will be provided. The Monopole's access gate will face the alley to the North, largely hiding it from 34th Street. An uninterrupted landscape buffer will be provided on the west side/34th Street frontage.

9. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

The Monopole, with one support and a dull grey finish, will better blend into the sky of the 34th Street streetscape. The Monopole's compound will be enclosed on all sides by a code required green vinyl coated chain link fence, which will be in turn surrounded by a code required landscape buffer. Once mature, the landscape buffer will enhance the immediate neighborhood by providing two landscape buffers between the heavily traveled 34th Street and the residentially used parcel to the East of the Monopole. At the same time, the Monopole's buffered compound will enhance the 34th street side by providing green-scape foliage as opposed to its current appearance as an abandoned lot. Please see Sheets C-2 and L-1

10. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

The Monopole, being designed to collocate up to 5 sets of wireless antennas, will reduce the need for additional WCSF's in the area by providing colocation capacity to wireless service providers in the area. The Monopole will enhance both the property to the East and the 34th Street streetscape as it's compound will be enclosed on all sides by a code required green vinyl coated chain link fence, which will be in turn surrounded by a code required landscape

buffer. Once mature, the landscape buffer will enhance the immediate neighborhood by providing two landscape buffers between the heavily traveled 34th Street and the residentially used parcel to the East of the Monopole. At the same time, the Monopole's buffered compound will enhance the 34th street side by providing green-scape foliage as opposed to its current appearance as an abandoned lot. Please see Sheets C-2, C-3, L-1 and the enclosed colocation affidavit.

11. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

As stated above, the Monopole will reduce the need for additional WCSF's in the area by providing colocation capacity to wireless service providers in the vicinity. At the same time, the Monopole will improve living and working conditions in the neighboring area by improving wireless coverage. Please see Sheet C-3 and the enclosed RF Package.

12. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

The Monopole will be un-illuminated and unstaffed. It will therefore not generate noise, lights, dust, or fumes.

The contrary is true, the Monopole will improve external harmony and compatibility with existing uses as the Monopole's compound, surrounded on all sides by the code required landscape buffer, will buffer the residentially used property to the East from the noise, lights, dust, and fumes of 34th street while enhancing green-scaping along the 34th street side. Please see Sheets C-1, L-1, and the application for FAA review.

13. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

The Monopole's 3,312 sqft MOL compound will have 5 lease areas, one for each of the 5 colocation spaces on the Monopole. Please see Sheets C-2 and C-3.

14. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

APC proposes to retain existing trees along the eastern side of the parent parcel while providing the code required landscape buffers on all sides of the Monopole's Compound. Please see the Survey Sheet and sheet L-1.

15. Sensitivity of the development to on-site and or adjacent (within 200 feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

N/A – there are no known historic or archeological resources on or within 200' of the parent parcel.

16. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

N/A – the Monopole will be unstaffed.

[Continued on Next Page]

17. Meets adopted levels of service and the requirements for a certificate of concurrency by complying with the adopted levels of service for:
    a. Water.
    b. Sewer.
    c. Sanitation.
    d. Parks and recreation.
    e. Drainage. `

The Monopole will not require un-reclaimed water, sewer, sanitation, or parks and recreation resources as it will be un-staffed. The monopole will provide 1,148 sqft (13.5~%) of impervious space. The remaining square footage will be either semi-impervious gravel (2,760 sqft) or open space/landscaping (923 sqft).

…

Thank you in advance for your consideration of this project. Please do not hesitate to contact me to discuss this proposed project further.

Sincerely,

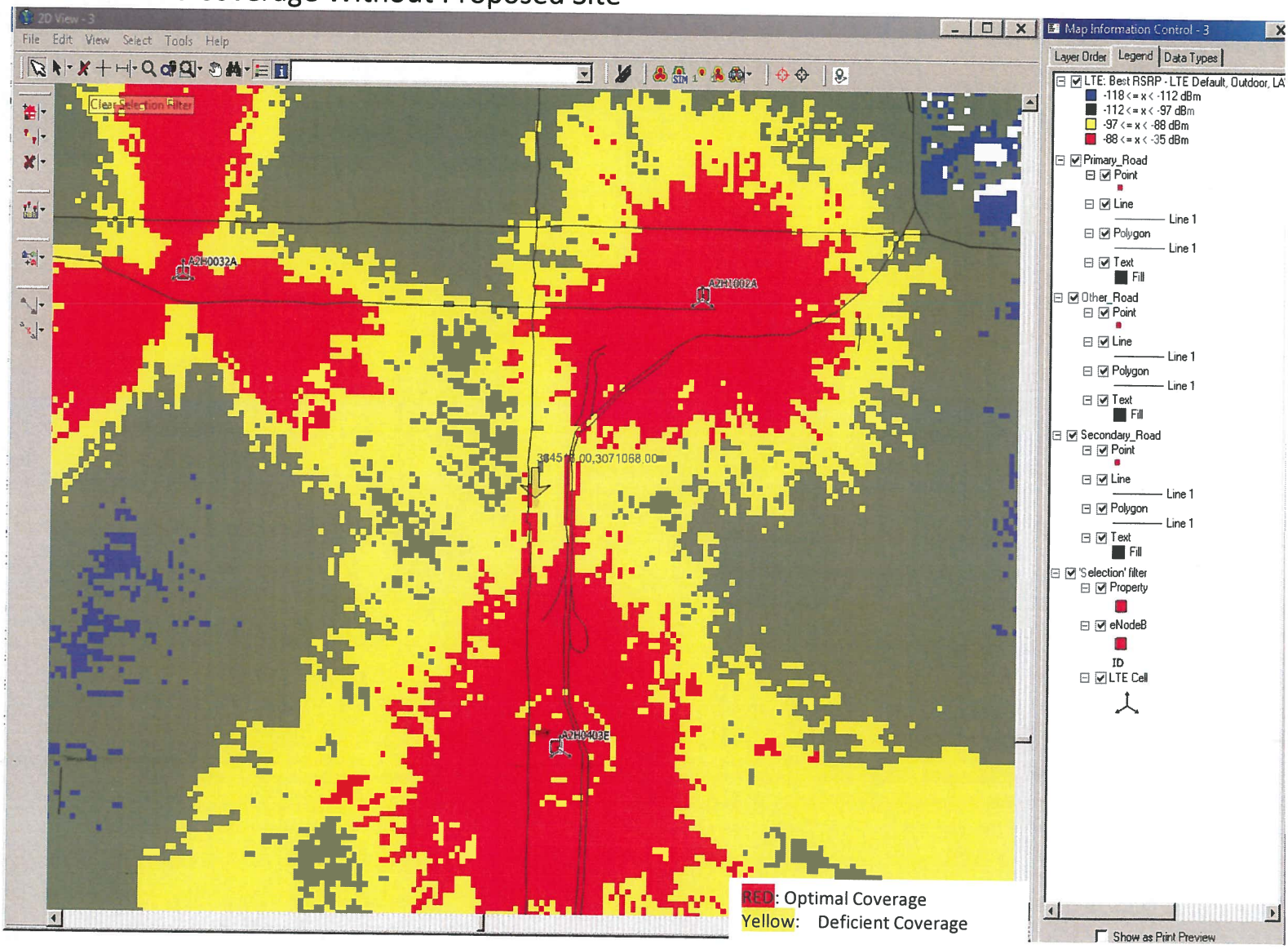
Mattaniah S. Jahn, Esq.

enclosures

Propagation Plot

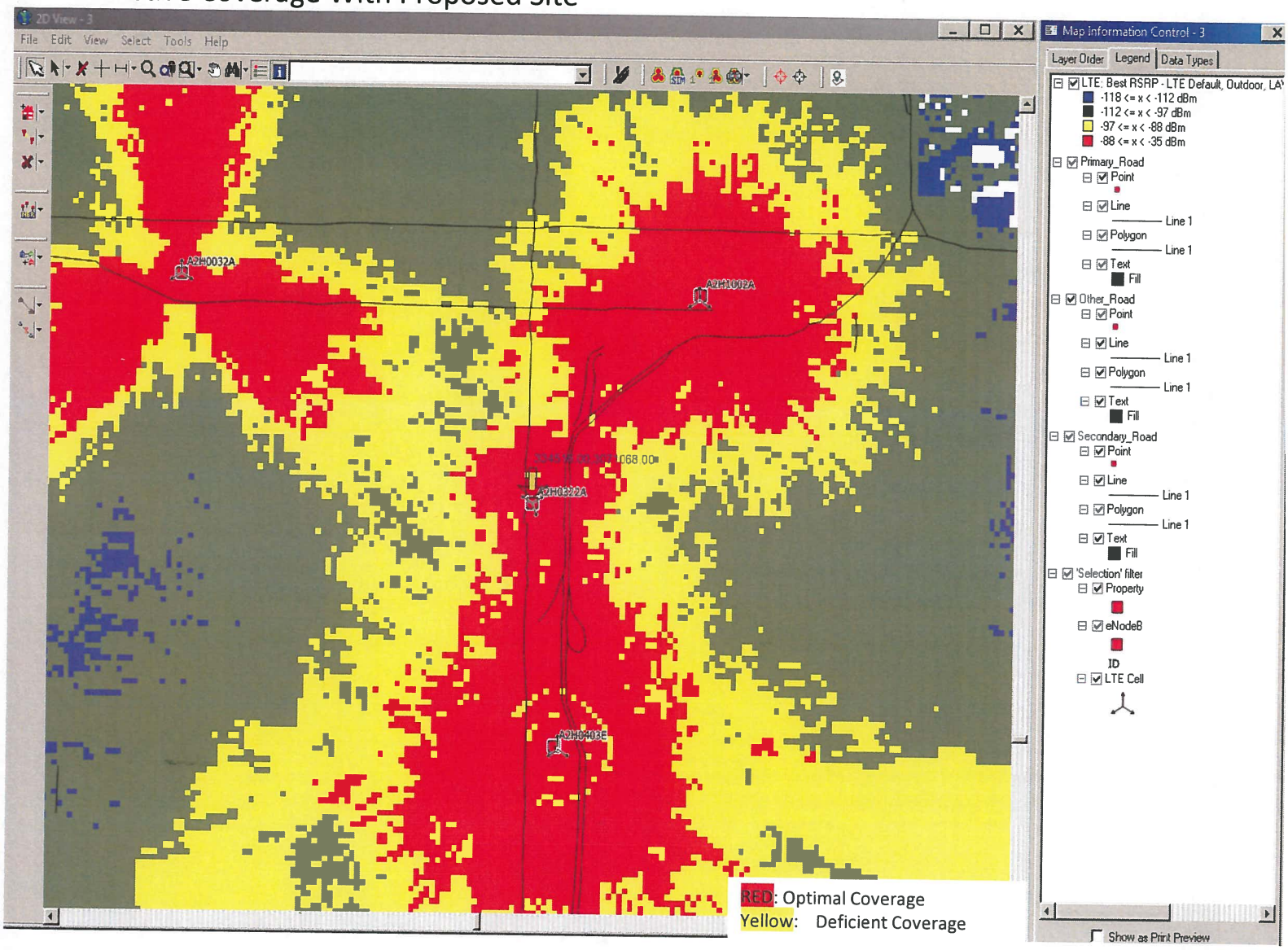
A2H0322A

Effective Coverage Without Proposed Site



RED: Optimal Coverage
Yellow: Deficient Coverage

Effective Coverage With Proposed Site



RED: Optimal Coverage
Yellow: Deficient Coverage

STONECYPHER SURVEYING INC.
1225 NW 16TH AVENUE, GAINESVILLE, FLORIDA 32601 PHONE: 352-379-0948

APC TOWERS – VICTOR HYSNI
LEGAL DESCRIPTIONS

REVISED JUNE 29, 2017

PARENT TRACT DESCRIPTION (O.R. 12017, PAGE 1296)

LOT 15, LESS THE WEST 26 FEET THEREOF FOR STREET AND ALL OF LOT 14, BLOCK 4, TANGERINE TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 96, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

APC TOWERS PRIME LEASE PARCEL

A PARCEL OF LAND LYING IN LOTS 14 AND 15, BLOCK 4, TANGERINE TERRACE, PLAT BOOK 9, PAGE 96 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 14, TANGERINE TERRACE, PLAT BOOK 9, PAGE 96 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N 89°46'18" W ALONG THE NORTH LINE OF SAID LOT 14, SAID LINE ALSO BEING THE SOUTH LINE OF A 12 FOOT WIDE ALLEY AS SHOWN ON SAID PLAT, FOR 25.00 FEET; THENCE S 00°13'42" W FOR 20.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE S 00°13'42" W FOR 81.99 FEET; THENCE N 89°46'18" W FOR 39.92 FEET; THENCE N 00°25'31" W FOR 82.00 FEET; THENCE S 89°46'18" E FOR 40.86 FEET TO THE POINT OF BEGINNING.

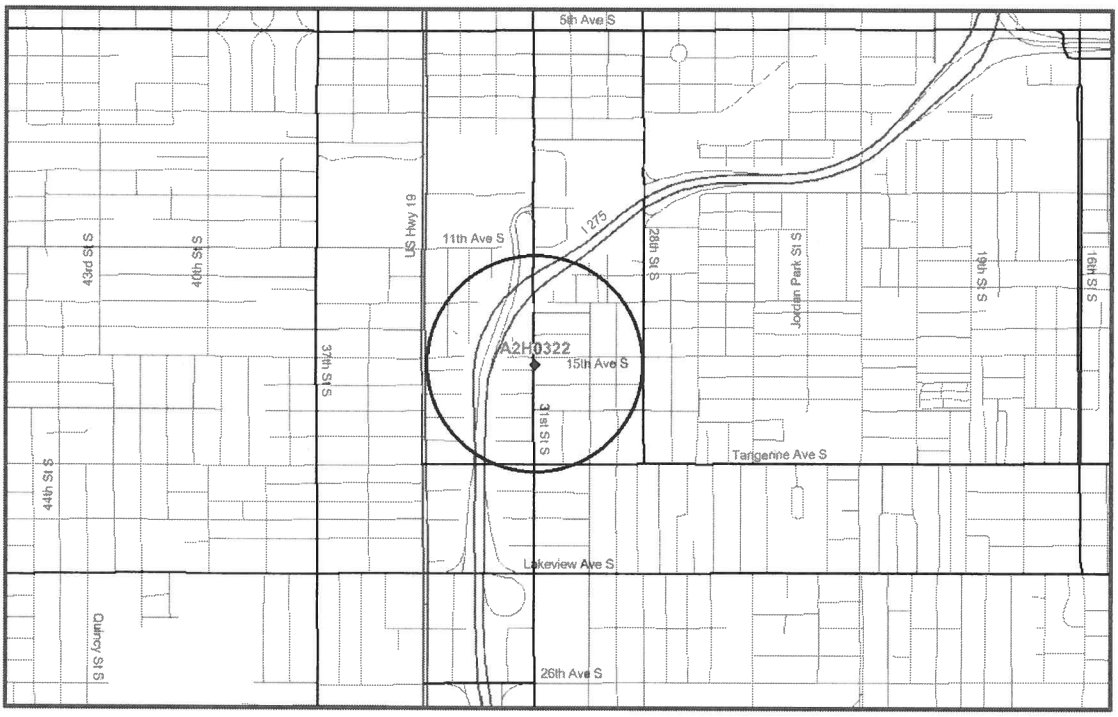
SAID PARCEL OF LAND SITUATE, LYING AND BEING IN SECTION 26, TOWNSHIP 31 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, CONTAINING 3,312 SQUARE FEET, MORE OR LESS.

APC TOWERS ACCESS AND UTILITIES EASEMENT

A 20 FOOT WIDE EASEMENT FOR THE PURPOSE OF INGRESS, EGRESS AND UTILITIES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 20 FEET OF LOTS 14 AND 15, BLOCK 4, TANGERINE TERRACE, PLAT BOOK 9, PAGE 96 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS THE RIGHT OF WAY FOR U.S. HIGHWAY 19 (ALSO KNOWN AS 34th STREET SOUTH)

A2H0322 / Ring Center 27.75533 -82.675225 / Ring Radius 0.25 mile / ACL 120~ft (min) 140~ft (max). The objective of this ring is to offload capacity from A2H0403E1 and TPB5503A4



T · ·Mobile·

July 14, 2017

Mr. Michael Short
Development Project Manager
APC TOWERS, LLC
3000 Aerial Center Parkway
Suite 110
Morrisville, NC 27560

Re: FL-1473 (A2H0322A) Hysni -Proposed Telecommunications Facility
34th Street South
St. Petersburg, FL 33712

Dear Mr. Short:

T-Mobile South LLC has reviewed the location of the proposed telecommunications structure as referenced above. Our RF Design Engineer has concluded that the location, as currently proposed with respect to site and an available antenna centerline of 120+/-' AGL, would meet the needs of our network.

Based upon the fact that we have reached agreement on terms and conditions for leasing the space necessary for our installation, T-Mobile South LLC is willing to provide justification of need for a site (propagation plots) in the area and other reasonable documentation as may be required by the City of St. Petersburg. This would include analysis of alternative sites, information relative to our existing network as it applies to the proposed sites, and analysis/proof of our required antenna height.

Please note that T-Mobile South LLC is under no obligation to pursue a lease or governmental approvals for this location with the City of St. Petersburg. Our approval of this project does not apply should any modifications be made to the location, design, or other significant site criteria impacting the ability of the site to meet our Network objectives.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Adam Mortensen
T-Mobile Development-Real Estate
Central Florida
T-Mobile South LLC
5901 Benjamin Center Drive, Suite 110 A-B
Tampa Bay, FL 33634

cc City of St. Petersburgh Development Review Services Division
One 4th Street North – PO Box 2842
St. Petersburg, FL 33731-2842

Michael F. Plahovinsak, P.E.

18301 State Route 161, Plain City, Ohio 43064
(614) 398-6250 • mike@mfpeng.com

July 12, 2017

APC Towers

Re: Proposed 125-ft Monopole
Located in Pinellas Co., FL: Site #FL-1473 Hysni
MFP #44017-214 / EEI 17-0732

I understand that there may be some concern on the part of local building officials regarding the potential for failure of the proposed communication monopole. Communication structures are designed in accordance with the Telecommunications Industry Association ANSI/TIA-222-G, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures". *This letter is based on a Preliminary Design for Engineered Endeavors – The fall zone certification is based on an Engineered Endeavor's pole installed at the site.*

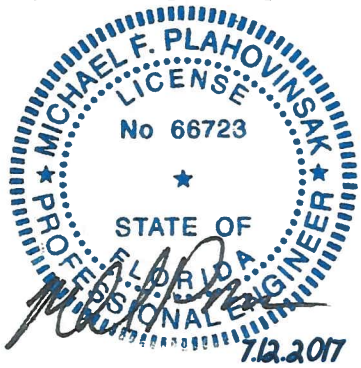
I have designed this monopole to withstand a 3-second gusted wind speed of 113 mph (V_{asd}) as recommended by ANSI/TIA-222-G for Pinellas County. *The design also conforms to the requirements of the 2010 Florida Building Code for an equivalent ultimate wind speed of 146 mph (V_{ult}).*

This monopole has been intentionally designed to accommodate a theoretical fall radius. The upper 37' of the pole has been designed to meet the wind loads of the design, however, the lower portion of the pole has been designed with a minimum 10% extra capacity. Assuming the pole has been fabricated according to my design and well maintained, in the event of a failure due to extreme wind and a comparable appurtenance antenna loads (winds in excess of the design wind load), it would yield/buckle at the 88' elevation. The yielded section would result in a maximum 37' fall radius, but would most likely remain connected and hang from the standing section.

The structure has been designed with all of the applicable factors as required by the code. A properly designed, constructed and maintained pole has never collapsed; monopoles are safe structures with a long history of reliable operation.

I hope this review of the monopole design has given you a greater degree of comfort regarding the design capacity inherent in pole structures. If you have any additional questions please call me at 614-398-6250 or email *mike@mfpeng.com*.

Sincerely,



Michael F. Plahovinsak, P.E.

Federal Aviation Administration

« OE/AAA

Notice of Proposed Construction or Alteration - Off Airport

Add a new Case Off Airport - Desk Reference Guide V_2016.3.0

Add a New Case Off Airport for Wind Turbines - Met Towers - Desk Reference Guide V_2016.3.0

Project Name: PAUL.-000424083-17 **Sponsor:** paul.alvarez

Details for Case : FL-1473 Hysni

Show Project Summary

Case Status

ASN:	2017-ASO-13915-OE	**Date Accepted:**	07/11/2017
Status:	Accepted	**Date Determined:**	
		Letters:	None
		Documents:	07/11/2017 A2H0322A_1A Certi...
Public Comments:	None		
			Project Documents: None

Construction / Alteration Information

Notice Of:	Construction
Duration:	Permanent
if Temporary :	Months: Days:
Work Schedule - Start:	
Work Schedule - End:	

For temporary cranes-Does the permanent structure require separate notice to the FAA? To find out, use the Notice Criteria Tool. If separate notice is required, please ensure it is filed. If it is not filed, please state the reason in the Description of Proposal.

State Filing: Not filed with State

Structure Summary

Structure Type:	Antenna Tower
Structure Name:	FL-1473 Hysni
FDC NOTAM:	
NOTAM Number:	
FCC Number:	
Prior ASN:	2017-ASO-13317-OE

Structure Details

Latitude:	27° 45' 13.70" N
Longitude:	82° 40' 44.85" W
Horizontal Datum:	NAD83
Site Elevation (SE):	38 (nearest foot)
Structure Height (AGL):	130 (nearest foot)
Current Height (AGL): ** For notice of alteration or existing provide the current AGL height of the existing structure. Include details in the Description of Proposal*	(nearest foot)
Minimum Operating Height (AGL): ** For aeronautical study of a crane or construction equipment the maximum height should be listed above as the Structure Height (AGL). Additionally, provide the minimum operating height to avoid delays if impacts are identified that require negotiation to a reduced height. If the Structure Height and minimum operating height are the same enter the same value in both fields.*	(nearest foot)
Nacelle Height (AGL): ** For Wind Turbines 500ft AGL or greater*	(nearest foot)
Requested Marking/Lighting:	None
Other :	
Recommended Marking/Lighting:	
Current Marking/Lighting:	N/A Proposed Structure
Other :	
Nearest City:	St. Petersburg
Nearest State:	Florida
Description of Location: *On the Project Summary page upload any certified survey.*	See map & 1A
Description of Proposal:	Proposed new build

Common Frequency Bands

Low Freq	High Freq	Freq Unit	ERP	ERP Unit
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

Specific Frequencies

Previous Back to Search Result Next

AGENT OF RECORD LETTER

I, David Pierce, as Managing Member for APC Towers, LLC ("APC") have the authority to execute this document. APC is under contract to purchase the property identified by Parcel ID 26-31-16-89676-004-0140, in Pinellas County, Florida; and hereby designate and appoint the Law Office of Mattaniah S. Jahn, P.A. and/or Mattaniah S. Jahn, Esquire, 800 Tarpon Woods Blvd., Suite E-1, Palm Harbor, Florida 34685, Phone 727-773-2221, Facsimile 727-773-2616, Email mjahn@thelawmpowered.com, as my Agent of Record for the purpose of any and all permitting, zoning, and/or land use applications, hearings, or processes in association with the development of a communication facility on the aforementioned property.

My Agent of Record is hereby vested with authority to make any representations, agreements, or promises which are necessary or desirable in conjunction with any of the aforementioned processes. My Agent of Record is also authorized to accept or reject any conditions imposed by any reviewing board or entity. My Agent of Record has the authority to execute documents relating to any of the above described processes on my behalf.

Signature

David J. Pierce
Printed Name

Sr. Vice President
Title

7/11/2017
Date

STATE OF ~~FLORIDA~~ North Carolina
COUNTY OF Wake

The foregoing instrument was acknowledged before me this 11 day of July, 2017, by David J. Pierce, SR VP Operations who is personally known to me or who has produced ~~as identification.~~

F. Renee Hedstrom
NOTARY PUBLIC
DURHAM COUNTY, NORTH CAROLINA
(SEAL)

Notary Public

F. Renee Hedstrom
Printed Name of Notary

My Commission expires 12/8/20

AGENT OF RECORD LETTER

I, Henry C Johnson, as Sr Manager (Rep) for T-Mobile South LLC have the authority to execute this document. T-Mobile South LLC intends to collocate on a communication tower proposed to be located on the property identified by Parcel ID 26-31-16-89676-004-0140, in Pinellas County, Florida; and hereby designate and appoint the Law Office of Mattaniah S. Jahn, P.A. and/or Mattaniah S. Jahn, Esquire, 800 Tarpon Woods Blvd., Suite E-1, Palm Harbor, Florida 34685, Phone 727-773-2221, Facsimile 727-773-2616, Email mjahn@thelawmpowered.com, as my Agent of Record for the purpose of any and all permitting, zoning, and/or land use applications, hearings, or processes in association with the development of a communication facility on the aforementioned property.

My Agent of Record is hereby vested with authority to make any representations, agreements, or promises which are necessary or desirable in conjunction with any of the aforementioned processes. My Agent of Record is also authorized to accept or reject any conditions imposed by any reviewing board or entity. My Agent of Record has the authority to execute documents relating to any of the above described processes on my behalf.

Signature

Henry C Johnson
Printed Name

Sr Manager Dev
Title

7/7/2017
Date

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 7th day of June, 2017, by C Johnson who is personally known to me or who has produced _____ as identification.

JENNIFER R HALL
MY COMMISSION # GG074092
EXPIRES March 13, 2021

Notary Public

Jennifer R Hall
Printed Name of Notary

Mattaniah Jahn

From: Amanda Louie <alouie@apctowers.com>
Sent: Tuesday, July 11, 2017 10:33 AM
To: CHAPMAN, CONNIE
Cc: Michael Short
Subject: APC FL Sites Available for AT&T Co/Location
Attachments: FL-1449_Collocation Offer Letter_11-July-17 ATT.PDF; FL-1473_Collocation Offer Letter_11-July-17 ATT.PDF; FL-1448_Collocation Offer Letter_11-July-17 - ATT.PDF

Hi Connie,

Hope this email finds you well. APC Towers currently has 3 sites in development in the St. Pete/Clearwater area that I wanted to put in front of you for potential co/location opportunities.

[redacted]
FL-1473 - 27.75381 N, -82.67913 W

Structure types and available RADs are available in the attached documents. Please let me know if AT&T is interested in pursuing co/location opportunities at any of these APC sites in development.

Thank you!

Amanda Louie

Director of Business Development | **APC Towers**

MOBILE 512.554.1701 | **EMAIL** alouie@apctowers.com

APC Towers

7/11/2017

SENT VIA E-MAIL

Connie Chapman
Senior Real Estate & Construction Manager
AT&T
3210 Lake Emma, 1st Floor
Lake Mary, FL 32746
cc568w@att.com

Re: Notice of Availability of 125' AGL Tower Site for Colocation
FL-1473 Hysni – 34th Street South, St. Petersburg, FL 33707

Dear Connie:

This letter is to inform you of a wireless tower project being developed by APC Towers, LLC (APC) at coordinates 27.75381 N by -82.67913 W. APC is proposing to construct a 125' AGL Monopole style structure. As of the date of this letter, antenna centers at 110' AGL and 100' AGL are available on a first come, first served basis at reasonable market rates.

Please do not hesitate to contact me at my cell, 512-554-1701, should you have interest in collocating on this tower.

Sincerely,

Amanda Louie
Business Development
APC Towers

Mattaniah Jahn

From: Amanda Louie <alouie@apctowers.com>
Sent: Tuesday, July 11, 2017 10:32 AM
To: Rocky Heatherley (erskine.heatherley@sprint.com)
Cc: Michael Short
Subject: APC FL Sites Available for Sprint Co/Location
Attachments: FL-1448_Collocation Offer Letter_11-July-17 - Sprint.pdf; FL-1449_Collocation Offer Letter_11-July-17 - Sprint.pdf; FL-1473_Collocation Offer Letter_11-July-17 - Sprint.pdf

Hi Rocky,

Hope this email finds you well. APC Towers currently has 3 sites in development in the St. Pete/Clearwater area that I wanted to put in front of you for potential co/location opportunities.

[redacted]
[redacted]
FL-1473 - 27.75381 N, -82.67913 W

Structure types and available RADs are available in the attached documents. Please let me know if Sprint is interested in pursuing co/location opportunities at any of these APC sites in development.

Thank you!

Amanda Louie

Director of Business Development | **APC Towers**

MOBILE 512.554.1701 | **EMAIL** alouie@apctowers.com

APC Towers

7/11/2017

SENT VIA E-MAIL

Rocky Heatherley
Site Development Market Manager
Sprint
10151 Deerwood Park Blvd.
Building 400, Suite 200
Jacksonville, FL 32258
Erskine.heatherley@sprint.com

Re: Notice of Availability of 125' AGL Tower Site for Colocation
FL-1473 Hysni – 34th Street South, St. Petersburg, FL 33707

Dear Rocky:

This letter is to inform you of a wireless tower project being developed by APC Towers, LLC (APC) at coordinates 27.75381 N by -82.67913 W. APC is proposing to construct a 125' AGL Monopole style structure. As of the date of this letter, antenna centers at 110' AGL and 100' AGL are available on a first come, first served basis at reasonable market rates.

Please do not hesitate to contact me at my cell, 512-554-1701, should you have interest in collocating on this tower.

Sincerely,

Amanda Louie
Business Development
APC Towers

Mattaniah Jahn

From: Amanda Louie <alouie@apctowers.com>
Sent: Tuesday, July 11, 2017 10:33 AM
To: amy.cochran@verizonwireless.com
Cc: Michael Short
Subject: APC FL Sites Available for Verizon Co/Location
Attachments: FL-1449_Collocation Offer Letter_11-July-17 Verizon Wireless.pdf; FL-1473_Collocation Offer Letter_11-July-17 - Verizon Wireless.pdf; FL-1448_Collocation Offer Letter_11-July-17 - Verizon Wireless.pdf

Hi Amy,

Hope this email finds you well. APC Towers currently has 3 sites in development in the St. Pete/Clearwater area that I wanted to put in front of you for potential co/location opportunities.

[redacted]
FL-1473 - 27.75381 N, -82.67913 W

Structure types and available RADs are available in the attached documents. Please let me know if Verizon is interested in pursuing co/location opportunities at any of these APC sites in development.

Thank you!

Amanda Louie

Director of Business Development | **APC Towers**

MOBILE 512.554.1701 | **EMAIL** alouie@apctowers.com

APCTowers

7/11/2017

SENT VIA E-MAIL

Amy Cochran
Verizon Wireless
Amy.cochran@verizonwireless.com

Re: Notice of Availability of 125' AGL Tower Site for Colocation
FL-1473 Hysni – 34th Street South, St. Petersburg, FL 33707

Dear Amy:

This letter is to inform you of a wireless tower project being developed by APC Towers, LLC (APC) at coordinates 27.75381 N by -82.67913 W. APC is proposing to construct a 125' AGL Monopole style structure. As of the date of this letter, antenna centers at 110' AGL and 100' AGL are available on a first come, first served basis at reasonable market rates.

Please do not hesitate to contact me at my cell, 512-554-1701, should you have interest in collocating on this tower.

Sincerely,

Amanda Louie
Business Development
APC Towers

AFFIDAVIT

STATE OF ~~FLORIDA~~ North Carolina
COUNTY OF Wake

BEFORE ME, the undersigned authority, personally appeared David J. Pierce, who being by me first duly sworn, under oath, deposes and states as follows:

1. I am over eighteen (18) years of age and have personal knowledge of the matters contained herein.
2. I am the Sr. Vice President of Operations of APC Towers, LLC ("APC"). I have the authority to sign this affidavit.
3. It is the intent of APC to allow collocation of Carriers on the proposed WCSF Communication Tower located on parcel 26-31-16-89676-004-0140 in the City of St. Petersburg, Pinellas County, FL at reasonable market rates so long as it is structurally feasible and any cost associated with modifying the WCSF Communication Tower to accommodate the collocated Carriers is borne by the collocating telecommunication carrier or entity.

FURTHER AFFIANT SAYETH NOT.

Signed: David J. Pierce
Name: David J. Pierce
As: Sr. Vice President
APC Towers, LLC

STATE OF ~~FLORIDA~~ North Carolina
COUNTY OF Wake

This foregoing instrument was acknowledged before me this 11 day of July 2017, by David J. Pierce, who is personally known to me ~~or produced _____ and who did take an oath~~.

WITNESS my hand and official seal, this 11 day of July, 2017.

F. Renee Hedstrom
Notary Public
F. Renée Hedstrom
Printed Name of Notary

F RENEE HEDSTROM NOTARY PUBLIC DURHAM COUNTY, NORTH CAROLINA

My Commission Expires: 12/13/2020

Colo Aff - Hysni

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2017-ASO-13915-OE
Prior Study No.
2017-ASO-13317-OE

Issued Date: 08/23/2017

paul alvarez
paul.alvarez
3000 aerial center pkwy, suite 110
morrisville, NC 27560

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower FL-1473 Hysni
Location:	St. Petersburg, FL
Latitude:	27-45-13.70N NAD 83
Longitude:	82-40-44.85W
Heights:	38 feet site elevation (SE)
	130 feet above ground level (AGL)
	168 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 02/23/2019 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404) 305-6462, or mike.blaich@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-ASO-13915-OE.

Signature Control No: 337652631-341762404 (DNE)
Michael Blaich
Specialist

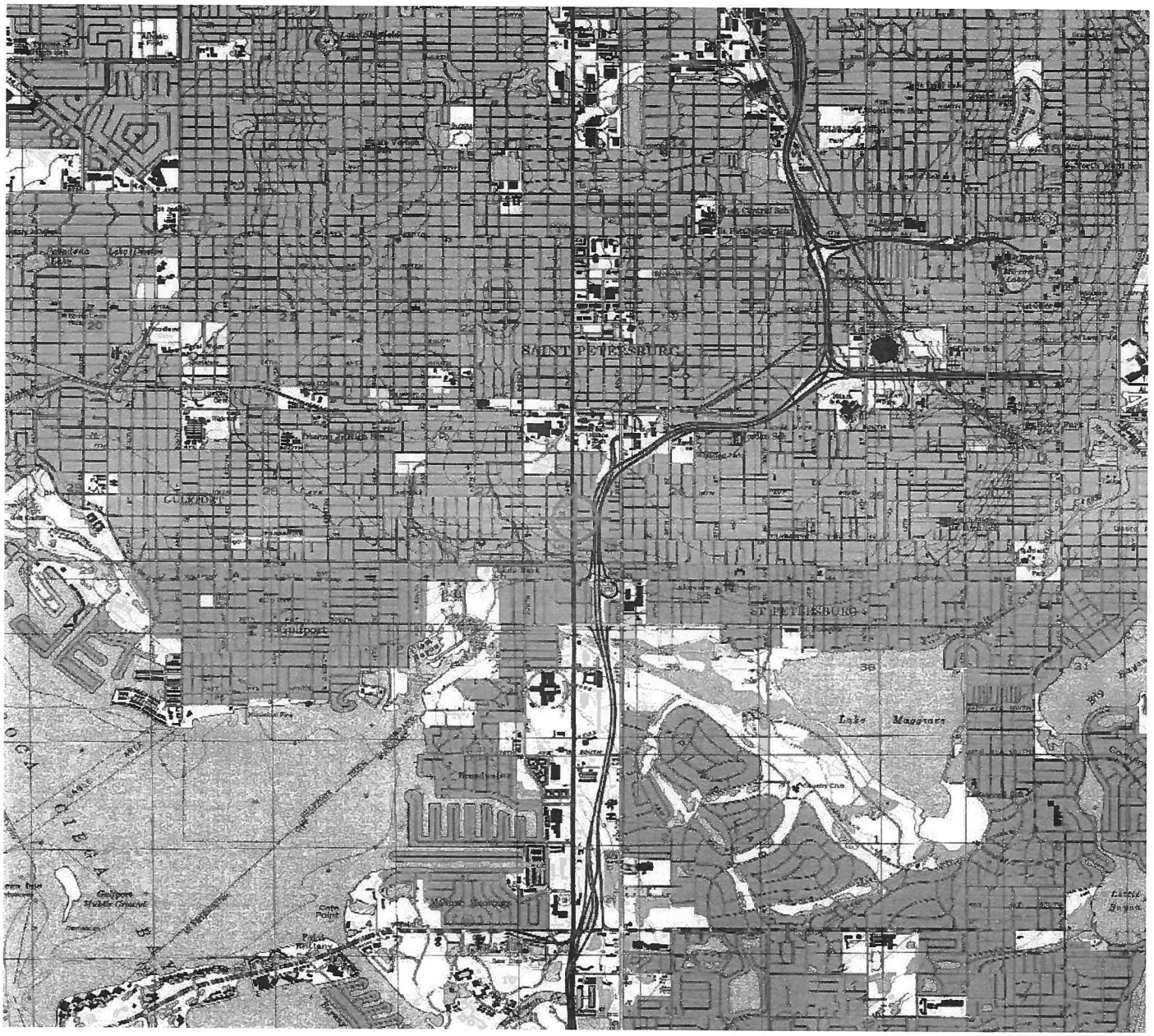
Attachment(s)
Frequency Data
Map(s)

cc: FCC

Frequency Data for ASN 2017-ASO-13915-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

TOPO Map for ASN 2017-ASO-13915-OE



Law Office of Mattaniah S. Jahn, P.A.

800 Tarpon Woods Boulevard, Suite E-1
Palm Harbor, Florida 34685
Telephone: (727) 773-2221
Facsimile: (727) 773-2616

SENT VIA HAND DELIVERY

August 18, 2017

Elizabeth Abernethy, AICP
Development Review Services Manager
City of St. Petersburg Planning and Economic Development Dept.
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: APC Towers, LLC – FL-1473/Hysni
Parcel 26-31-16-89676-004-0140
Special Exception and Site Plan Review Application # 17-32000020

Dear Ms. Abernethy:

On behalf of my client, APC Towers, LLC ("APC") please find the included supplement to Special Exception and Site Plan Review application 17-32000020:

- Agent of Record Affidavits.
  - Peter Hysni, as Agent in Fact for Nadie Hysni.
- RF Package supplements:
  - T-Mobile Analysis of Neighboring towers and tall structures
  - Letter from James McNichol, as site Acquisition Agent, on site selection and alternative sites.
- Proof of Public Notice
  - Dated photos of posted sign
  - Tampa Bay Times Affidavit of Publication
- SPPD Application for Blanket Trespass Agreement
- Letter from David Stonecypher dated 8/15/17 confirming survey dimensions
- Site Plan Packets – 2 signed and sealed originals.
  - Boundary Survey
  - Compound plan sheets.
  - Elevation
  - Landscape and Irrigation Plan
- A copy of all the above listed documents on DVD

Summary of Supplement

APC respectfully supplements Special Exception and Site Plan Review application # 17-32000020 with the above listed documents. Staff requested that APC modify the Monopole's design to be

camouflaged and provide a 100% opaque fence instead of the previously proposed green vinyl coated chain link fence. APC is now providing a Unipole style camouflaged tower, with all antennas and cabling contained within the Unipole itself ("Unipole"). The Unipole will now be enclosed by an 8' tall, 100% opaque white vinyl fence. Staff additionally requested an analysis of non-residentially zoned properties within T-Mobile's ring and an analysis of neighboring towers and tall structures within the ring, both of which are now provided. Please see Sheets, C-3 and C-5, the enclosed Site Acquisition Process letter signed by James McNichol, and T-Mobile's analysis of neighboring towers and tall structures.

APC has spoken with multiple neighboring property owners during the pendency of the application. In the course of those conversations, one property owner expressed a concern about loitering currently taking place in the vicinity and it possibly leading to trespassing into the Unipole's compound. While the compound is currently designed to be secure at all times, in sensitivity to this property owner's concerns, APC respectfully proposes a Yapoun Holly hedge instead of the previously proposed Yellow Anise. Finally, APC applied for a blanket trespass agreement with the St. Petersburg Police Department. This agreement will allow SPPD officers to come onto the property and remove or arrest any trespassers as may be appropriate under Florida Law. Please see Sheets L-1 and L-2 and the enclosed blanket trespass agreement application.

Thank you in advance for your consideration of this supplement. Please do not hesitate to contact me to discuss this proposed project further.

Sincerely,

Mattaniah S. Jahn

Mattaniah S. Jahn, Esq.

enclosures

T · ·Mobile·

Friday, August 18, 2017

To Whom It May Concern:

To better serve our customers, T-Mobile Engineering continuously analyzes existing network coverage and its deficiencies. T-Mobile Engineering uses several sources of data including Customer Service logged customer complaints and service-level prediction data. These metrics and techniques hold a great amount of weight in determining the focus of T-Mobile's limited resources to best serve the needs of our customers -efficiently and effectively.

While analyzing our network in Pinellas County, T-Mobile Engineering has determined there is a need for improved Capacity in the areas near Gibbs High School, Jorden Park Melton Heights, Bayview and need Coverage on Interstate HWY 275 in St. Petersburg FL. The existing On-Air site **A2H0403A -Sector 1 (27.74262280, -82.67763450)** and **TPB5503A out-door DAS** that serves the area is severely congested due to the excessive cellular traffic thereby degrading the customer experience. Numerous Customer complaints and increasing network traffic are the two most significant metrics that support this type of coverage demand determination.

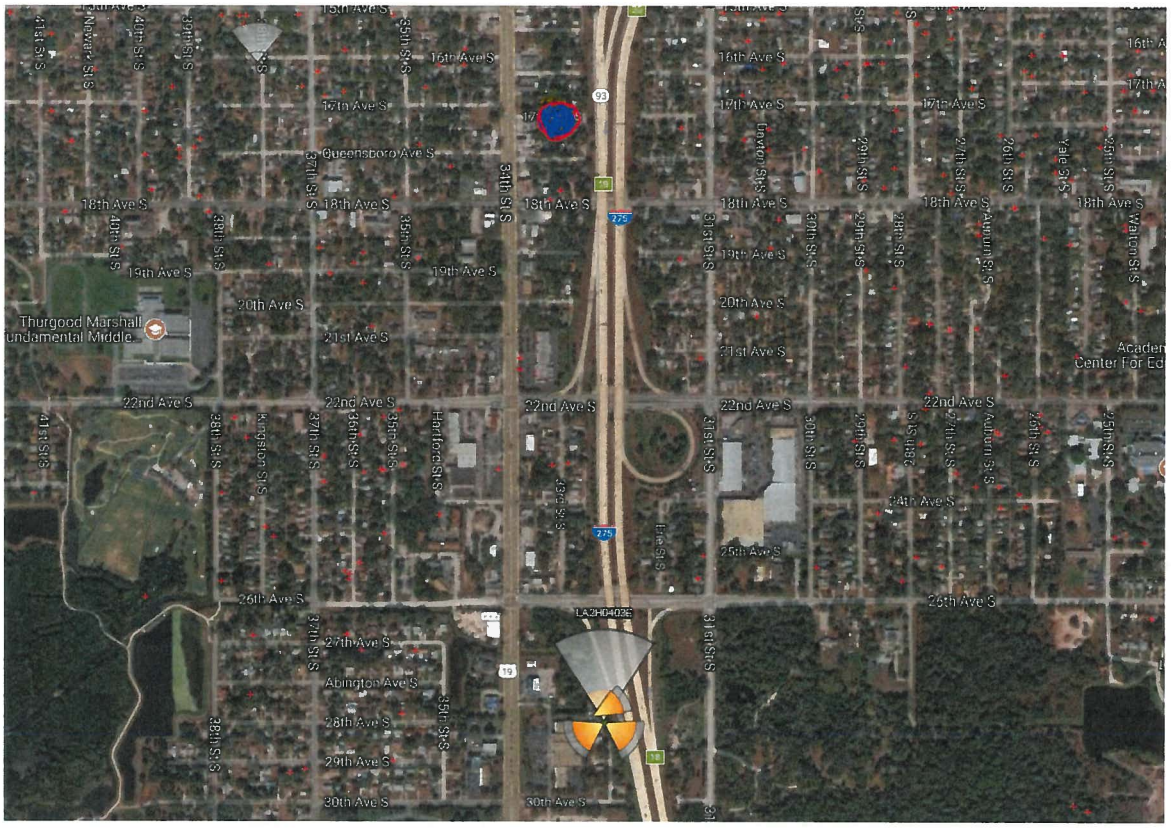
In addition, our engineering data has determined that Enhanced 911 services would be improved in this area only with the addition of this proposed cell tower and its associated equipment. Our objective is to provide mobile phone users the most accurate emergency 911 location services possible.

Recently, T-Mobile has determined that there is an appropriate cellular site candidate location that would meet our needs related to service enhancements required in Pinellas County. The coordinates for this proposed candidate are listed below.

Search Ring: A2H0322
Proposed Candidate ID: A2H0322C
Latitude: 27.753873
Longitude: -82.679139

APC Towers, On Behalf of T-Mobile USA, is proposing the installation of a 120' AGL Raw land Uni Pole tower. This telecommunication Facility is proposed to be located at 3325 17th Ave S, St. Petersburg FL 33712 and will be referred to as Hysni.

Proposed Candidate:



Conclusion:

A2H0322C – APC Tower in Pinellas county, City of St. Petersburg, FL is the best solution that relieves network congestion and improves our Customers' ability to access the network. A T-Mobile site in this area provides additional choices for consumers and access to communications and public safety agencies for residents and visitors. I hope you will consider this request favorably.

Best Regards,
Parimal Patel
Sr. RF Engineer

Thursday, August 17, 2017

T-Mobile Analysis of Neighboring Towers and Tall Structures

Re: Search Ring: A2H0322
Proposed Candidate ID: A2H0322C
APC Towers FL-1473

50'+ Structures in Search Ring

Addressing the Jurisdictions' request to rule out existing structures in the original search ring that were 50 feet or more in height.

High Tension Power Poles – Estimated Height of 55'
Located along 31st Street South on the East side of road; approximate locations include:

- 27.752189, -82.675155
- 27.752810, -82.675146
- 27.753619, -82.675163
- 27.754252, -82.675157
- 27.754783, -82.675166
- 27.755478, -82.675167
- 27.756257, -82.675173
- 27.757000, -82.675177
- 27.757612, -82.675178
- 27.758625, -82.675178

Existing Billboards
There are 2 existing billboard structures within the original T-Mobile Search Ring area.

- Billboard Structure North of Search Ring Center
  - Approximately 60' in Total Height
  - Located approximately 0.25 mile N of original T-Mobile Search Ring center:
  - 27.759122, - 82.6748
- Billboard Structure South of Search Ring Center
  - Approximately 50' in Total Height
  - Located approximately 0.26 mile SW of original T-Mobile Search Ring center
  - 27.75235, - 82.677856

Billboard
11th Ave S
32nd St S
Power Pole
12th Ave S
Power Pole
13th Ave S
Melrose Ave S
Power Pole
Power Pole
A2H0322 FL1473
Power Pole
Power Pole
Power Pole
Hysni Property
Power Pole
Billboard
Power Pole
Power Pole
Google earth
©2017 Google
N
1000 ft

STONECYPHER SURVEYING INC.
1225 NW 16TH AVENUE, GAINESVILLE, FLORIDA 32601 PHONE: 352-379-0948

August 15, 2017

Elizabeth Abernethy, AICP
Development Review Services Manager
City of St. Petersburg Planning and Economic Development Dept.
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: FL-1473 Hysni Property Line Analysis

Dear Ms. Abernethy:

In regards to the survey of the above referenced property (specifically the location of the western property line-also being the apparent east right-of-way line of 34th Street South), please refer to the boundary analysis explanation and information listed below.

The boundary of the parent tract shown on the survey of the APC Lease Parcel referenced above was based on the following:

1. **Overall Boundary**-The recorded parent tract description includes one whole 50' wide Lot 14 and a portion of the another approximate 50' Lot 15 (less the west 26') per Plat Book 9, page 96 creating an approximate 74' wide parcel of land by description. The parent tract boundary on the survey is consistent with the found monumentation and the recorded legal description as described in the deed recorded in O.R. 12017, page 1296.
2. **West line of Parent Tract**-Found monumentation along the east right-of-way line of US Highway 19 found to be consistent with the plat of the parcel north of the parent tract (Plat Book 46, page 9) and the plat of the parcel south of the parent tract (Plat Book 43, page 13). This line was also substantially consistent with the "less the west 26' of lot 15" per Plat Book 9, page 96.
3. **South line of Parent Tract**-Found monumentation along the north right-of-way line of 17th Avenue South found to be consistent with Plat Book 9, page 96 and consistent with the plat south of the parent tract (Plat Book 43, page 13).
4. **East line of Parent Tract**-Found monumentation at both east corners found to be consistent with Plat Book 9, page 96 and substantiated by found monumentation east of the parent tract.
5. **North line of Parent Tract**-Found monumentation along north and south lines of the 12' alley found to be consistent with Plat Book 9, page 96 and the plat north of the parent tract (Plat Book 46, page 9).
6. No other documentation was provided to this surveyor nor found by this surveyor to indicate any additional taking from the parent tract.
7. For the parent tract to be 60' wide, a taking of approximately the west 40' of Lot 15 would have to have been deeded to someone or taken for additional right-of-way via some sort of taking. No information regarding any additional taking was listed in the title commitment referenced on the survey.

I cannot explain why the Property Appraiser GIS map shows an approximate 60' wide parcel. I have no information to support that. I would be happy to examine any additional information if it is available.

Please contact me if you have any questions or need additional information.

David W. Stonecypher
Professional Surveyor and Mapper No. LS 6391
Stonecypher Surveying Inc. – Business No. LB 7810
State of Florida

B+T GRP
1717 S. Boulder Avenue, Suite 300, Tulsa, OK 74119
(918) 587-4630 Phone + (918) 295-0265 Fax + btgrp.com

August 15, 2017

Elizabeth Abernethy, AICP
Development Review Services Manager
City of St. Petersburg Planning and Economic Development Dept.
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: FL-1473 Hysni Property Site Acquisition Process.

Dear Ms. Abernethy:

The original search area we were given to work with was roughly centered on the intersection of 15th Ave S and 31st Street S. from there it covered a radius of 0.25 Miles or 1320'. Upon review of this ring we determined that there was a commercial area along the frontage of 34th St S that might be a compatible location for the tower we were going to propose. There were also non-residentially zoned properties inside and outside the ring to the North (zoned IL) and within the ring to the South (zoned CCT). We began with a few Candidates all towards the North, specifically, the Rent A Wheel, USA Fence, and Ayesworth all of which proved to be too close to existing towers that TMO was already located on. We searched further South along the 34th street corridor but were unable to develop a candidate because the few properties that looked viable did not respond to our inquiries. We decided at that point to focus our search more to the Southern part of the ring and settled on the Hysni Property which is our current candidate. We also reviewed the CCT zoned properties South of the Hysni Property, but we ruled them out because we were unable to make contact with the property owners in a timely fashion. I have attached below my working Map with notes along with a map showing the ring laid over the area's zoning for reference.

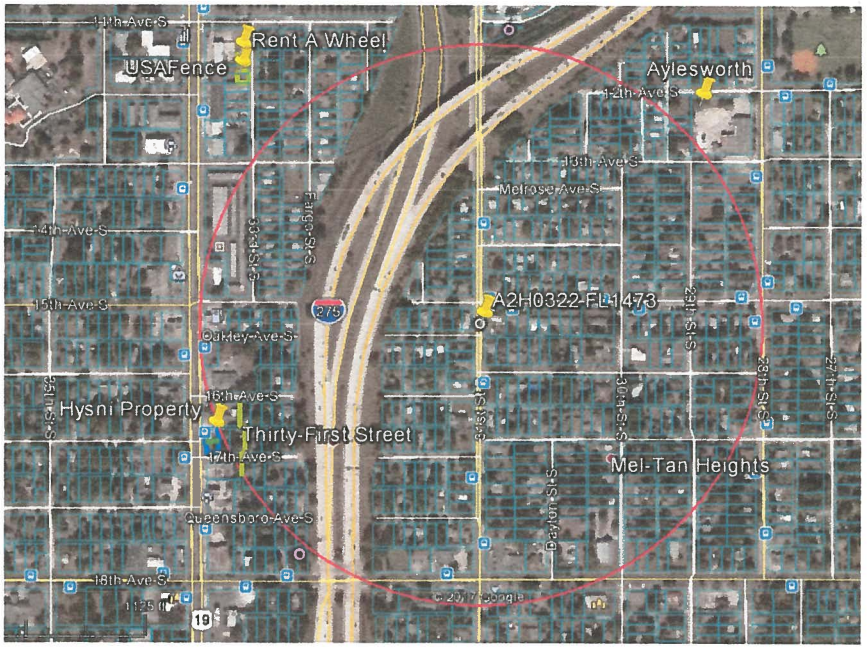
If any additional information is required please feel free to contact me at 904-654-0653.

Sincerely,

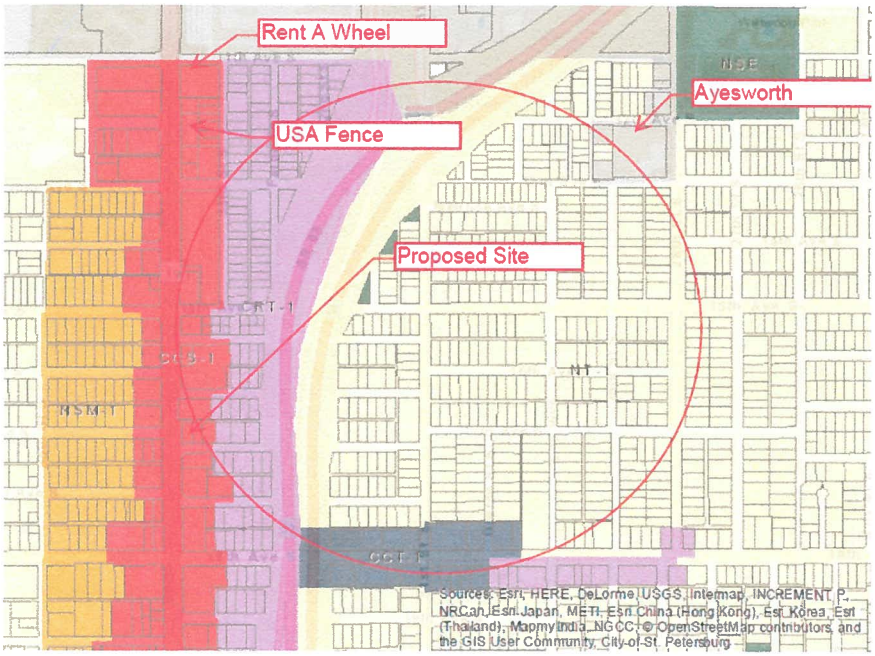
James McNicol, Project Manager B+T Group

(enclosures)

B+T GRP
1717 S. Boulder Avenue, Suite 300, Tulsa, OK 74119
(918) 587-4630 Phone + (918) 295-0265 Fax + btgrp.com



Working Map



Zoning Map

B+T GRP
1717 S. Boulder Avenue, Suite 300, Tulsa, OK 74119
(918) 587-4630 Phone + (918) 295-0265 Fax + btgrp.com

James F McNicol, Regional Project Manager with B&T Group

PROFESSIONAL EXPERIENCE

February 2013 – Present: Regional Project Manager - B&T Group
Site Acquisition, Engineering, and Construction Services in the Southeastern United States. I have performed the above services for Carriers and BTS Companies alike within my region.

2008 - 2013: Director of Construction Services - TowerCom - Jacksonville, FL
Oversaw construction of new towers and maintenance of existing tower portfolios. Worked with vendors to insure projects came in on budget and work was performed safely.
Performed in house site acquisition and zoning services. Area included the Southeastern United States.

2004 - 2008: Project Manager - Southland Communications - Valdosta, GA
Managed construction projects for all major carriers including new towers and co-locations on existing towers throughout the Southeastern United States.

1999 - 2004: Site Acquisition & Zoning Specialist - Dynan Group, Inc. - Gainesville, FL
Performed site acquisition and zoning services for tower and cellular companies. Prepared building permit applications. Performed minor construction management. Prepared proposals for tower and cellular companies. Prepared presentations for public hearings.

1995-1999: Survey Technician - Genesis Group, Inc. - Tallahassee, FL
Supervised six four-person field crews. Reduction of field notes and other survey calculations. Review of project sites in the field to estimate the cost of surveys and prepare proposals. Processed EFB (Electronic Field Book) data files. Quality Control Review of FDOT survey submittals and electronic survey files.

EDUCATION - TRAINING - LICENSE - REGISTRATION

- Florida Licensed General Contractor
- Florida Licensed Real Estate Broker
- Class "A" CDL
- ATSSA certified traffic control supervisor
- Workplace Safety OSHA Fall Protection
- DEP certified sediment and erosion control inspector
- Advanced Wind Mitigation Methodology
- Understanding Workman's Comp.
- Flash Technology Medium Intensity Training Course
- Florida Notary Public

Mattaniah Jahn

From: Derrick R. Nelson <Derrick.Nelson@stpete.org>
Sent: Friday, August 18, 2017 11:37 AM
To: Mattaniah Jahn
Subject: RE: Blanket Trespass Forms

Everything looks good! I will send you an email hopefully by end of today with a case number just for your records. If you do not receive it today I will get it to you early next week. The delay is due to me needing an actual address for my documentation, which will be generated soon.

So look out for the email and if you have any further questions please feel free to contact me.

From: Mattaniah Jahn [mailto:mjahn@thelawmpowered.com]
Sent: Thursday, August 17, 2017 3:11 PM
To: Derrick R. Nelson <Derrick.Nelson@stpete.org>
Subject: RE: Blanket Trespass Forms

Officer Nelson,

My Client, APC Towers, would like to proceed with an application for a blanket trespass agreement. I am attaching both forms along with my agent of record affidavit allowing me to sign for APC. Please let me know if there are any additional steps that we will have to take in this process.

Thanks,

M

Mattaniah S. Jahn, Esq.

Law Office of Mattaniah S. Jahn, PA
800 Tarpon Woods Blvd., Suite E-1
Palm Harbor, FL 34685
T: 727.773.2221
F: 727.773.2616
C: 941.685.3770
E: mjahn@thelawmpowered.com

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DISCLAIMER: Although this email and any attachments are believed to be free of any VIRUS or other defect that might affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free and I accept no responsibility for any loss or damage.

From: Derrick R. Nelson [mailto:Derrick.Nelson@stpete.org]
Sent: Tuesday, August 08, 2017 9:44 AM
To: Mattaniah Jahn <mjahn@thelawmpowered.com>
Subject: Blanket Trespass Forms

Attached at the forms needed to complete an active blanket trespass. Please fill in the highlighted sections and have the forms notarized. If you have any further questions please feel free to contact me.

Thank you,

Ofc. D. Nelson
District 1 Community Service Unit
(727)551-3181

Your Sunshine City

Expiration Date:_____

St. Petersburg Police Department
Limited Trespass Authorization

Case Number: _____ **Date:** _____

I, Mattaniah S. Jahn, as Agent _____, am the Authorized Person of the following property:
Printed Name

Address **Business Name or Property Description**

No Address Assigned Yet - Corner of 34th St South and 17th Ave. South APC - Cellular Communication Tower

Parcel # 26-31-16-89676-004-0140

Pursuant to § 810.08 F.S.S. and § 810.09 F.S.S., I hereby authorize officers of the St. Petersburg Police Department to communicate an Order to Depart to any persons entering into or found upon the above described property.

In the event that any such person(s) be in violation of the posted "No Trespassing" signage as required by F.S.S. 810.011, refuses to depart or returns after being ordered to depart said property, I request said person(s) be arrested. I agree to fully cooperate in the prosecution of any such person(s) arrested. Permission is hereby granted to officers of the St. Petersburg Police Department to enter the aforementioned property for any lawful purpose. I hereby warrant that I have the authority, as the Authorized Person, to deny permission to any person to enter or remain in or upon the described property or properties. This authorization will expire on: August 16 20 19.

I agree to notify the St. Petersburg Police Department and immediately remove the posted notice, should I cease to be the owner/lessee of the above described property.

I further agree to completely indemnify the St. Petersburg Police Department, its agents and assigns for any loss it may suffer as a result of any failure to immediately make the required notification.

Mattaniah S. Jahn
Signature of Authorized Person

Contact Information for Authorized Person

Address: 3000 Aerial Center Parkway, Suite 110, Morrisville, NC 27560

Phone Number: 859-916-6161 Emergency Phone Number: 1-800-640-1379

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 17 day of Aug, 20 17, by MATTANIAH S JAHN, who is personally known to me or has produced identification and who did take
(Printed Name of Authorized Person)
an oath, and who appeared before me at the time of Notarization.

KIMBERLY F. SCHRIEFER
Notary Public, State of Florida
Commission# FF 213905
My comm. expires Apr. 12, 2019

Kimberly F. Schriefer
Officer's Signature AFTER Administering Oath

Taken in my capacity as a law enforcement officer, as defined in § 943.10 F.S.S., with the St. Petersburg Police Department, and on the authority of § 117.10 F.S.S.

SPPD-04-46 – Revised 03/06/2014

State Attorney's Victim/Witness Statement

Limited Authorization Trespass Form

Offense Number:_____

Name: Mattaniah S. Jahn, as Agent for APC Towers, LLC Sex: F DOB: 03 / 14 / 1987

Address: 800 Tarpon Woods Blvd, Suite E-1 City: Palm Harbor State: FL Zip: 34685

Home #: 859-916-6161 Cell #:_____ Other #: 1-800-640-1379

Swear under penalty of law that on the _____ day of _____ 20_____

I, Mattaniah S. Jahn, as Agent for APC Towers, LLC, authorize the officers of the St. Petersburg Police Department to enter my property with the purpose of determining and/or challenging any subject(s) that may be loitering and trespassing on: Parcel # 2631-16-89676-004-0140, NE Corner of 34th St. S. and 17th Ave. S. (property address/description).

Unauthorized Persons should not be on the property between: (Check one)

- ○ _____ AM / PM and _____ AM / PM

or

- ☒ 24 Hours a day

If the subject is in violation of the posted "No Trespassing" signage as required by F.S.S 810.011, or refuses to depart after being warned to do so, I authorize the police department to place the subject(s) under arrest for trespass after warning under F.S.S 810.08 and 810.09, in which I am willing to prosecute as the property owner, lessee, or manager of this property.

Explain the Threat to Public Safety or Welfare as required by F.S.S. 810.08 & 810.09:

Trespass to enclosed and unenclosed properties. Trespass to structures. Damage or Disabling a structure providing communication services to the public.

Victim / Witness Signature: Mattaniah S. Jahn

Before me this day personally appeared Mattaniah S. Jahn, who being duly sworn attests to the truth of his/her statements sworn to and subscribed before this 17 day of Aug, 2017.

Officer's signature after administering oath: Kimberly K. Schrie Payroll #:_____

Taken in my capacity as a law enforcement officer as defined in F.S.S. 943.10 with the St. Petersburg Police Department and on authority of F.S.S 925.095.

NOTARY PUBLIC
KIMBERLY K. SCHRIEFER
Notary Public, State of Florida
Commission# FF 213905
My comm. expires Apr. 12, 2019

SPPD 14-086-12/30/2014

A2H0322A Ring Zoning Justification Package

Prepared by:
Parimal Patel
RFE – T-Mobile USA

T··Mobile· stick together™

Confidential and Proprietary Information of T-Mobile USA

This Justification package was prepared for the City of St. Petersburg, FL as statement stating why other towers will not work as a solution for T-Mobile USA in this area.

Ring Number: A2H0322 (27.75533,-82.675225)

Candidates evaluated:

A2H0322A – APC Towers FL-1473/Hysni (Rawland PRIMARY)

A2H0322B – Tower

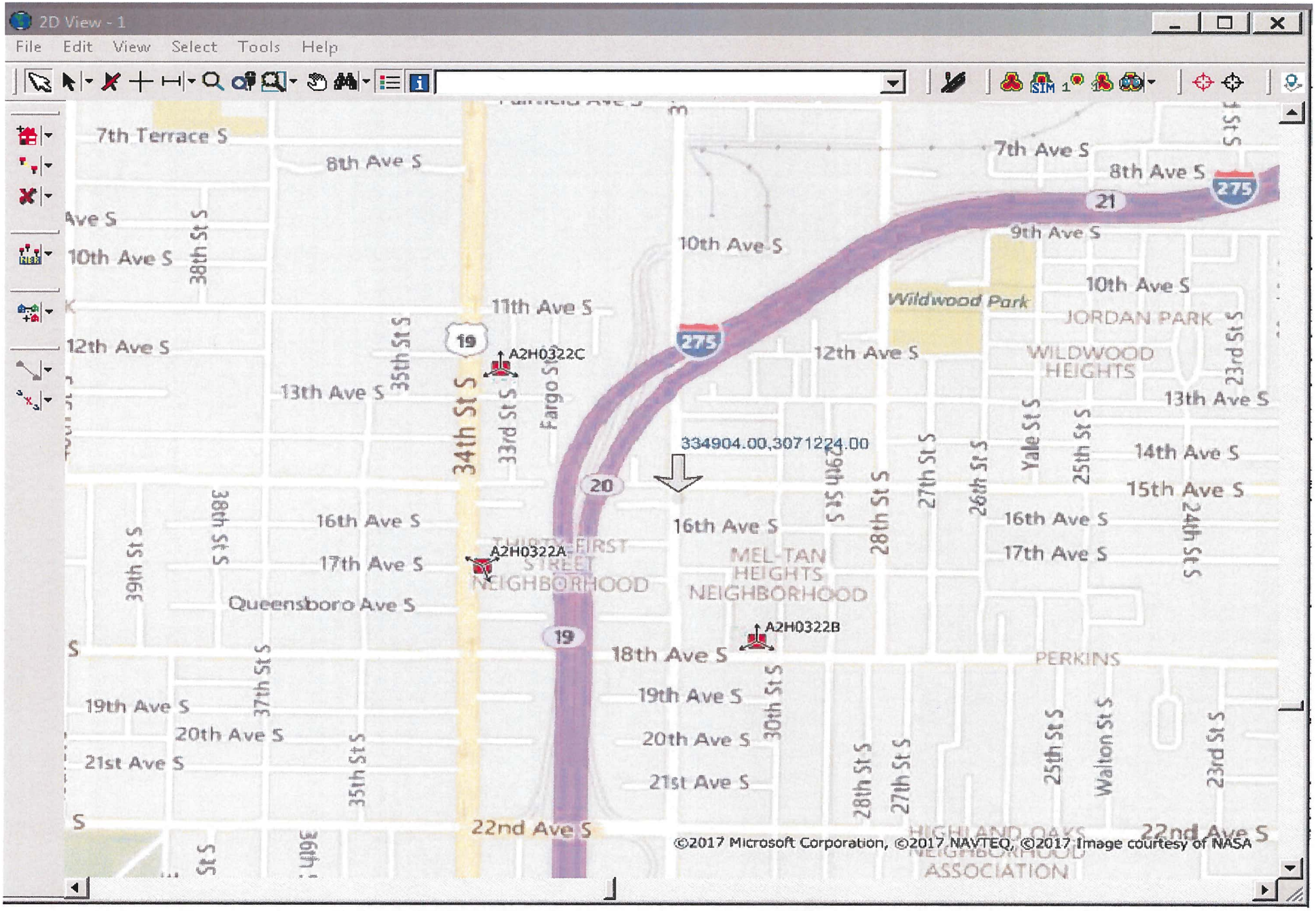
A2H0322C – Tower

A2H0322 Ring Objectives:

RF Determination

The objective for the proposed facility is to provide continuous coverage and capacity to customers at Gibbs High School, Jorden Park Melton Heights, Bayview and Interstate HWY 275 in St. Petersburg FL. Additionally, further objectives include offloading Sector 1 of the existing on-air site (A2H0403E) and an existing outdoor DAS (TPB5503A) that are both severely congested.

Per the original T-Mobile Search Ring Package, issued by the T-Mobile Engineering Staff, in order to meet this objective, the Antenna Center Line at the proposed facility must be at a height of 120 feet.


2D View - 1
File Edit View Select Tools Help
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Queensboro Ave S
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33rd St S
35th St S
38th St S
39th St S
37th St S
Fargo St
A2H0322C
A2H0322A
A2H0322B
334904.00,3071224.00
THIRTY-FIRST STREET NEIGHBORHOOD
MEL-TAN HEIGHTS NEIGHBORHOOD
Wildwood Park
JORDAN PARK
WILDWOOD HEIGHTS
PERKINS
HIGHLAND OAKS NEIGHBORHOOD ASSOCIATION
7th Ave S
8th Ave S
9th Ave S
10th Ave S
12th Ave S
13th Ave S
14th Ave S
15th Ave S
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21st Ave S
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Yale St S
25th St S
26th St S
27th St S
28th St S
29th St S
30th St S
Walton St S
23rd St S
24th St S
275
21
20
19
©2017 Microsoft Corporation, ©2017 NAVTEQ, ©2017 Image courtesy of NASA

A2H0322A – FL-1473/ Hysni

- Proposed 120' Monopole
- 0.23 mile away from designed location (center of the ring)
- Achieves 95% of coverage objectives
- provide continuous coverage and capacity to customers at Gibbs High School, Jorden Park Melton Heights, Bayview and Interstate HWY 275 in St. Petersburg FL.
- Off loading Sector 1 of the existing on-air site (A2H0403E) and an existing outdoor DAS (TPB5503A) that are both severely congested.

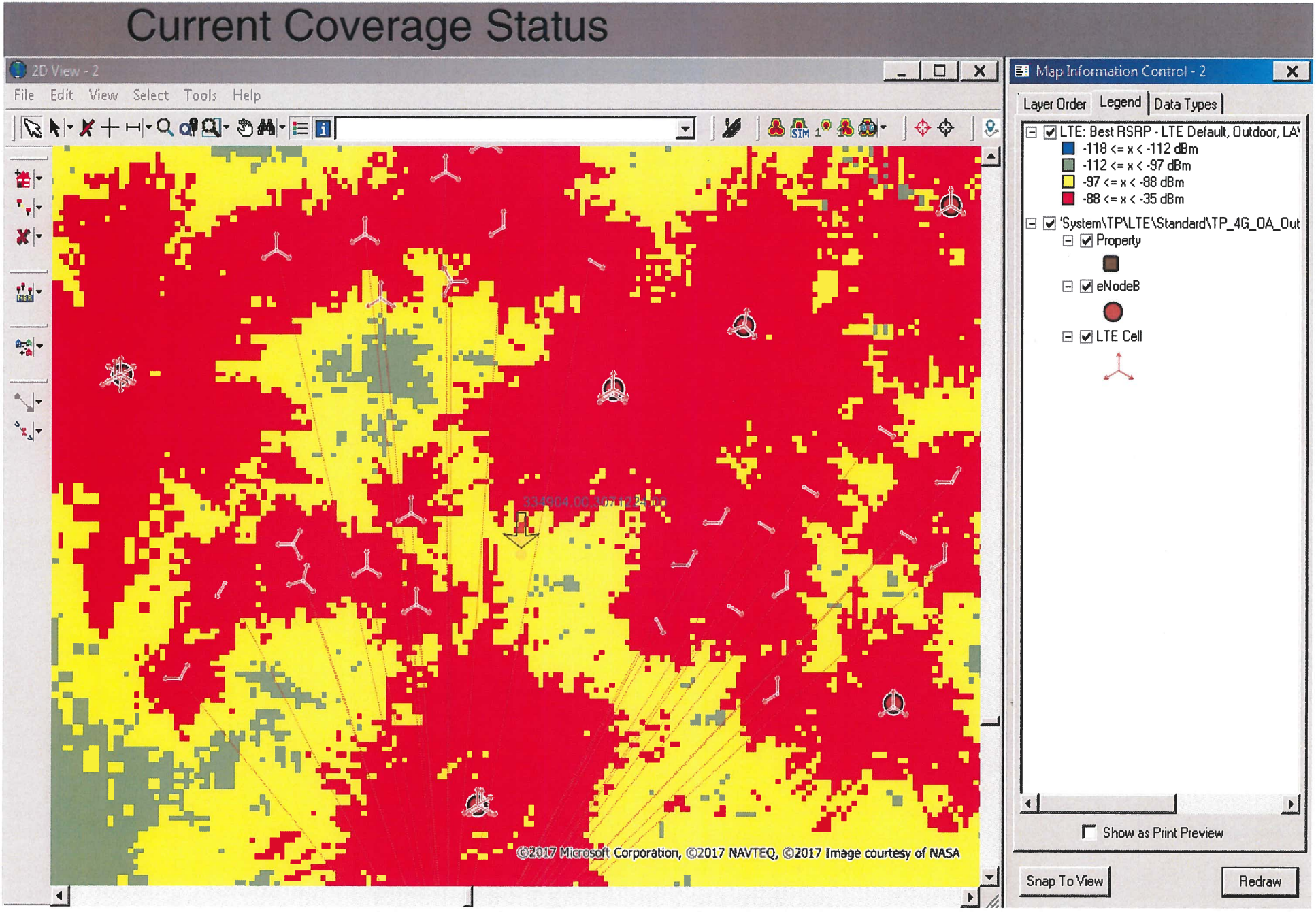
A2H0322B – Tower

- 120' Monopole
- 0.50 mile away form designed location
- Achieves 80% of coverage objectives
- provide continuous coverage and capacity to customers at Gibbs High School, Jorden Park Melton Heights, Bayview and Interstate HWY 275 in St. Petersburg FL.
- Off loading Sector 1 of the existing on-air site (A2H0403E) and an existing outdoor DAS (TPB5503A) that are both severely congested.

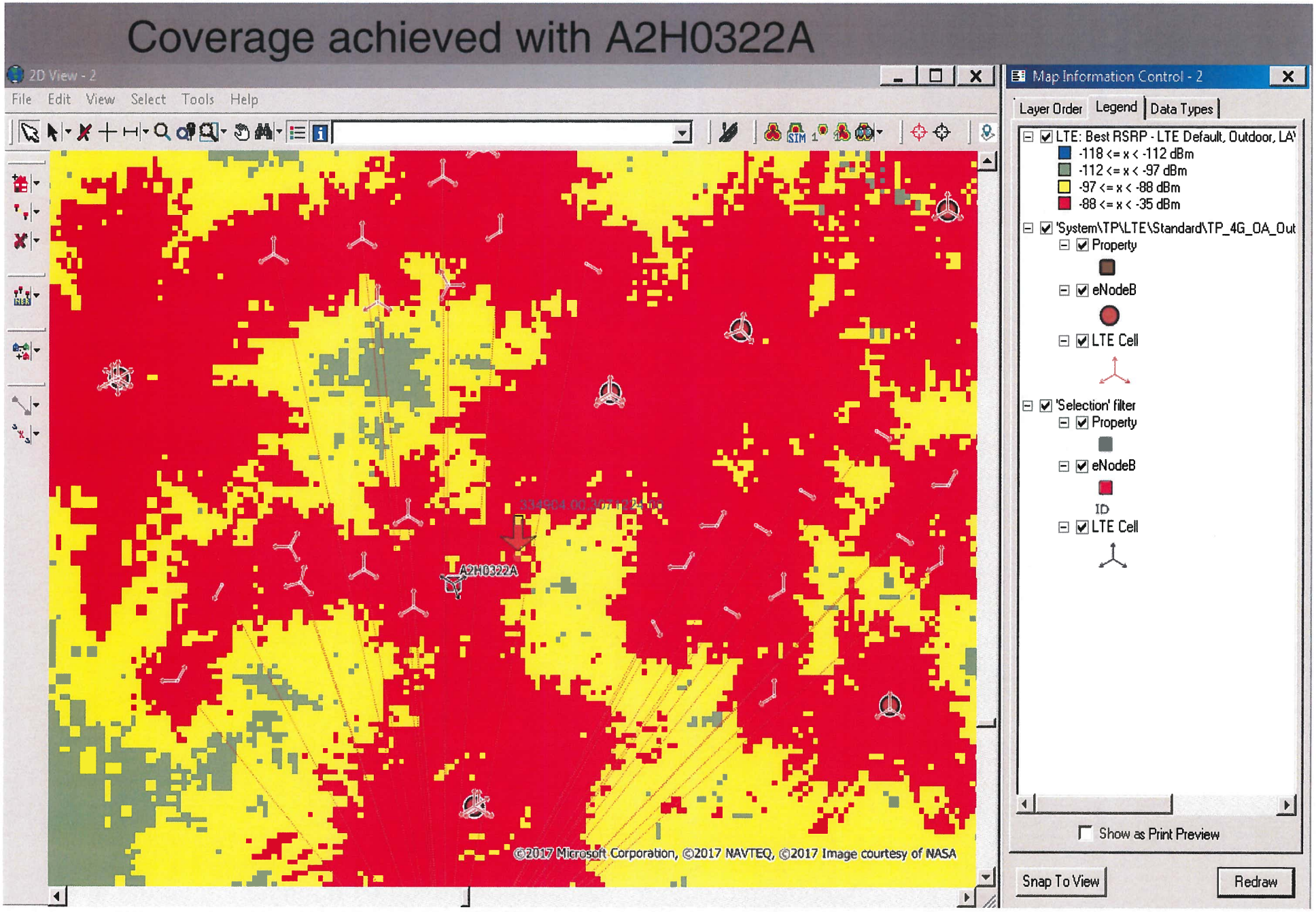
A2H0322C – Crown Castle

- 120' Monopole
- 0.60 mile away form designed location
- Achieves 70% of coverage objectives
- provide coverage and capacity to customers at Gibbs High School, Jorden Park Melton Heights, Bayview and Interstate HWY 275 in St. Petersburg FL.
- NOT Off loading Sector 1 of the existing on-air site (A2H0403E) and an existing outdoor DAS (TPB5503A) that are both severely congested.

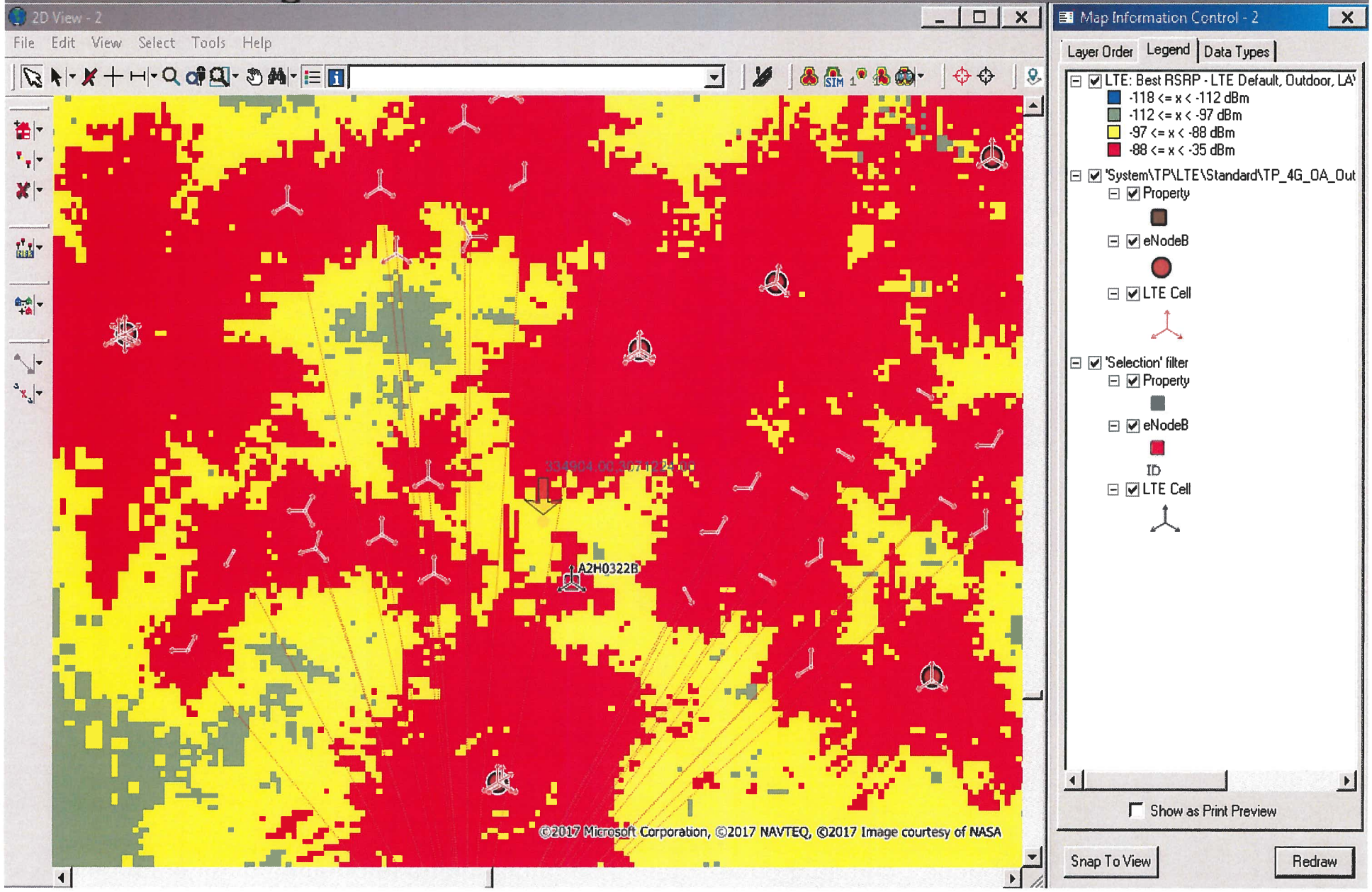
Current Coverage Status



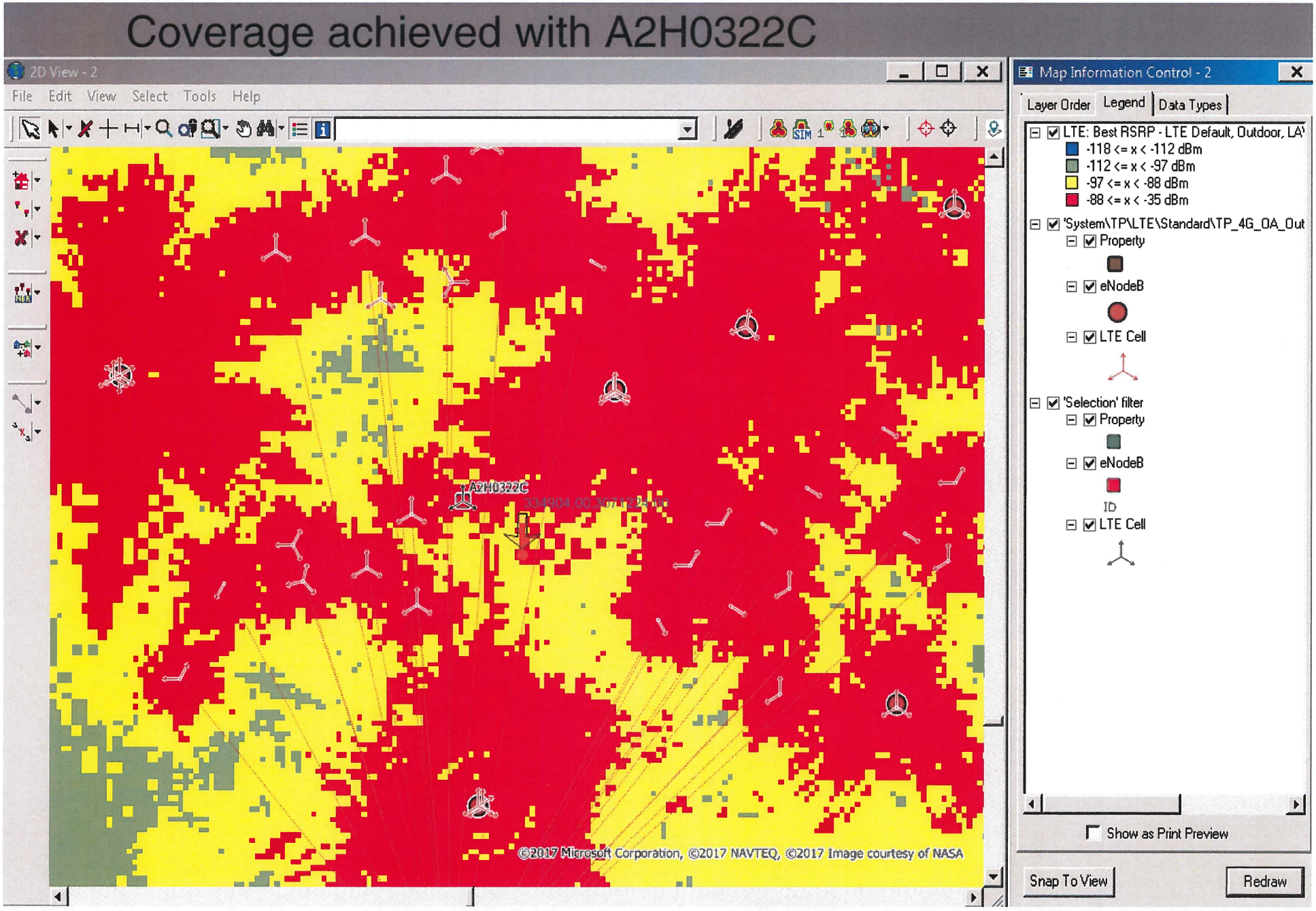
Coverage achieved with A2H0322A



Coverage achieved with A2H0322B



Coverage achieved with A2H0322C



Conclusion

A2H0322A – FL-1473 Hysni is the best solution for T-Mobile customers in the City of St. Petersburg, FL. Both of the structures (Candidates B and C) are far away from the designed location and only achieve 60-80% of our coverage objectives, which will cause in the future the need of more sites.

Thank you!

B+T GRP
1717 S. Boulder Avenue, Suite 300, Tulsa, OK 74119
(918) 587-4630 Phone + (918) 295-0265 Fax + btgrp.com

September 15, 2017

Elizabeth Abernethy, AICP
Development Review Services Manager
City of St. Petersburg Planning and Economic Development Dept.
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: FL-1473 Hysni Property Site Acquisition Process.

Dear Ms. Abernethy:

The original search area we were given to work with was roughly centered on the intersection of 15th Ave S and 31st Street S. from there it covered a radius of 0.25 Miles or 1320'. Upon review of this ring we determined that there was a commercial area along the frontage of 34th St S that might be a compatible location for the tower we were going to propose. There were also non-residentially zoned properties inside and outside the ring to the North (zoned IL) and within the ring to the South (zoned CCT). We began with a few Candidates all towards the North, specifically, the Rent A Wheel, USA Fence, and Ayesworth all of which proved to be too close to existing towers that TMO was already located on. We searched further South along the 34th street corridor but were unable to develop a candidate because the few properties that looked viable did not respond to our inquiries. We decided at that point to focus our search more to the Southern part of the ring and settled on the Hysni Property which is our current candidate. Upon receipt of a set of exhibits from the City Staff we have gone back in a looked at some alternatives that were put forth. I have added them as Exhibits on the attached Map and will give details below.

Exhibit 2 (1) This Parcel belongs to the State of Florida Internal Improvement Trust. The Internal Improvement Trusts typically reserves property under its ownership for public use or environmental purposes and usually will not lease its properties for use as cell towers. Based on this issue, this is not a site that I would recommend my client pursue.

Exhibit 2 (2) This Parcel belongs to New MT. Olive Primitive Baptist Church, there are very few locations on this parcel that are not already being used for Parking and/or retention. There was one area that might allow for a very small compound, which would reduce the Unipole's capacity to collocate additional users in the future, area but even that would require the removal of at least one established tree. This one area also is right next to an area that appears to be used for the storage and maintenance of heavy commercial vehicles. This would likely cause Environmental issues for my client which could significantly lower their chances of receiving NEPA Approval from the FCC for the site. Based on these issues this is not a site I would recommend my client pursue.

B+T GRP
1717 S. Boulder Avenue, Suite 300, Tulsa, OK 74119
(918) 587-4630 Phone + (918) 295-0265 Fax + btgrp.com

Exhibit 3 (1) This property belongs to the Florida Department of Transportation. The FDPT currently has a master agreement in place with American Tower that would prevent them from entering into an agreement with my client. As such this location would not be viable for our site.

Exhibit 3 (2) This Property belongs to Fred D. Le Clair, this is a parcel that has been used for the storage and Maintenance of commercial vehicles and as such would likely cause Environmental issues for my client that could place their NEPA Approval form the FCC for the site at risk. Based on this Environmental Issue I would not recommend my client pursue this site.

Exhibit 4 (1,2,&3) These Parcels all belong to AMI-VIDHYA, LLC and is operating as the Sundaze Motel. Early on in my search I did reach out to the Sundaze Motel and discussed the possibility of a site on their property. They never got back to me and I moved on to other sites.

I have attached below my working Map with notes along with a map showing the ring laid over the area's zoning for reference.

If any additional information is required please feel free to contact me at 904-654-0653.

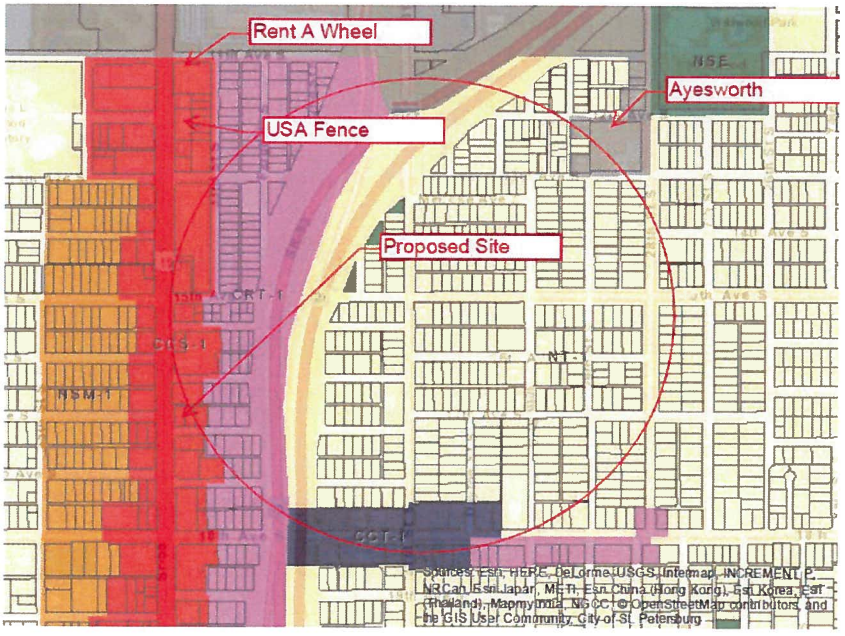
Sincerely,

James McNicol, Project Manager B+T Group

(enclosures)

B+T GRP
1717 S. Boulder Avenue, Suite 300, Tulsa, OK 74119
(918) 587-4630 Phone + (918) 295-0265 Fax + btgrp.com

Working Map



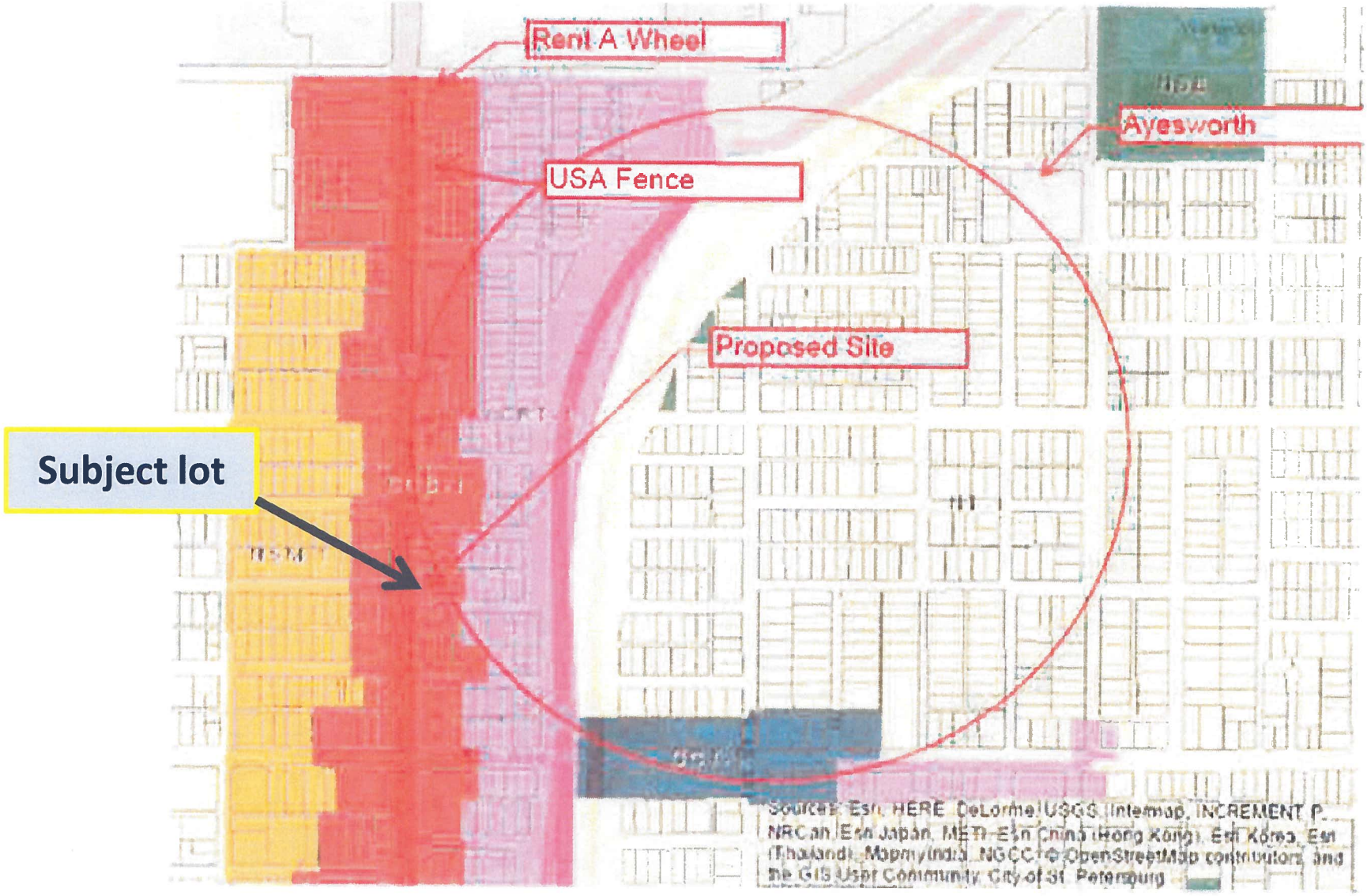
Zoning Map

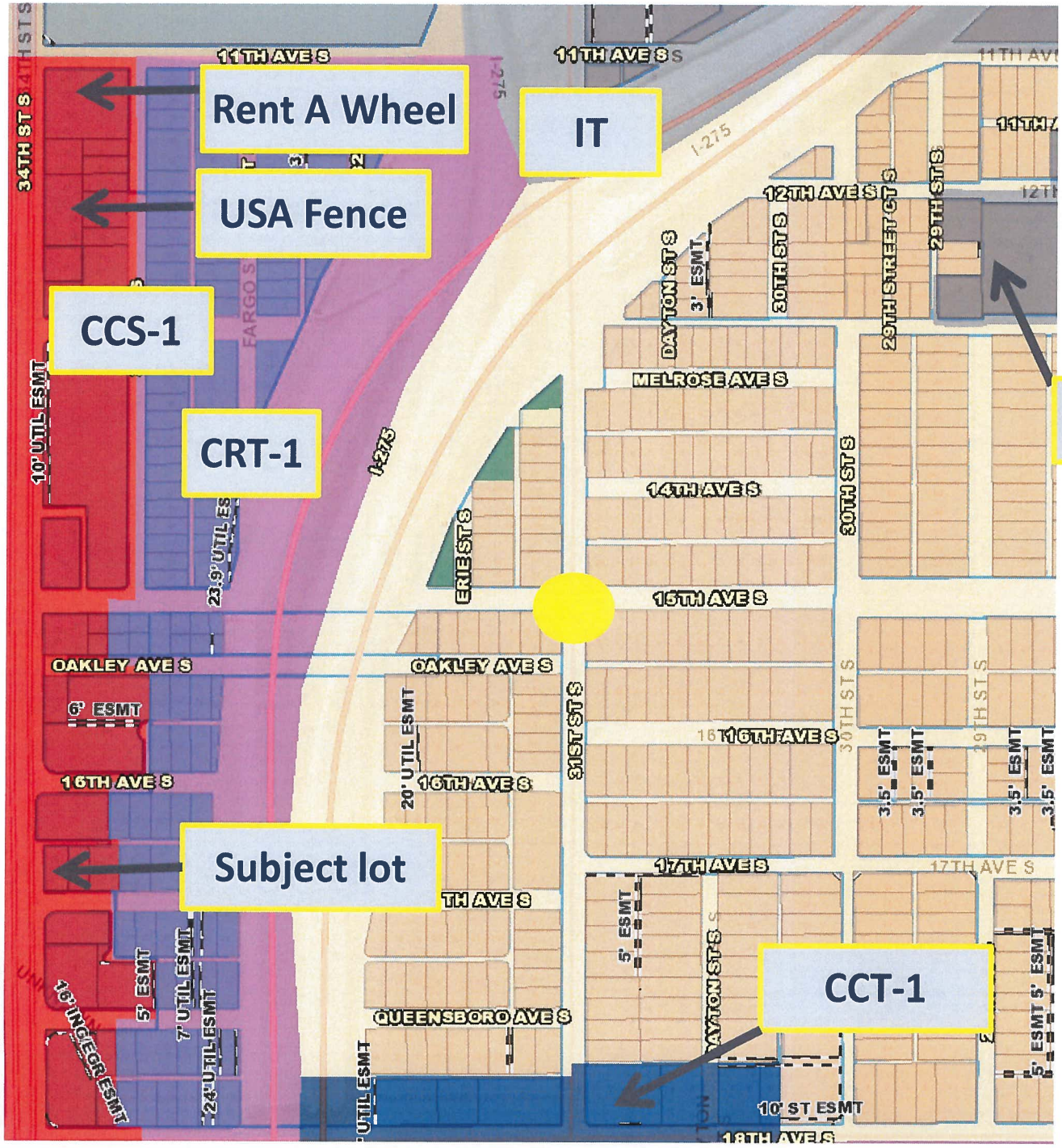
Exhibit 4

Case #17-32000020

Staff Alternative Analysis Exhibits

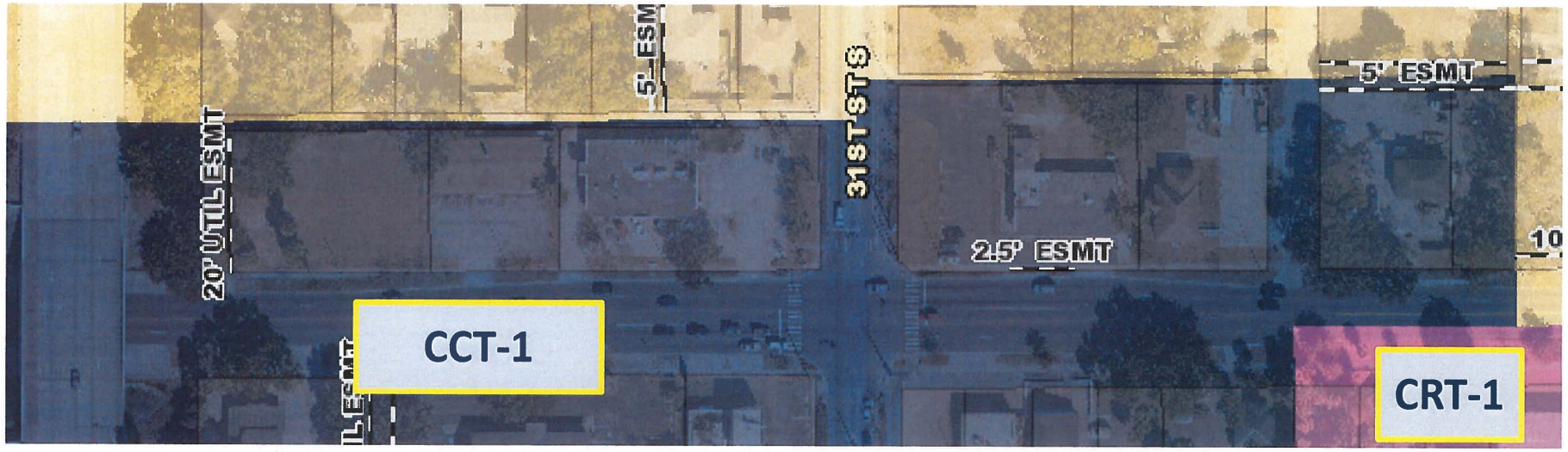
Applicant's Alternative Analysis





Alternative Analysis Exhibit 1

Alternative Analysis Exhibit 2- Southern end of search ring



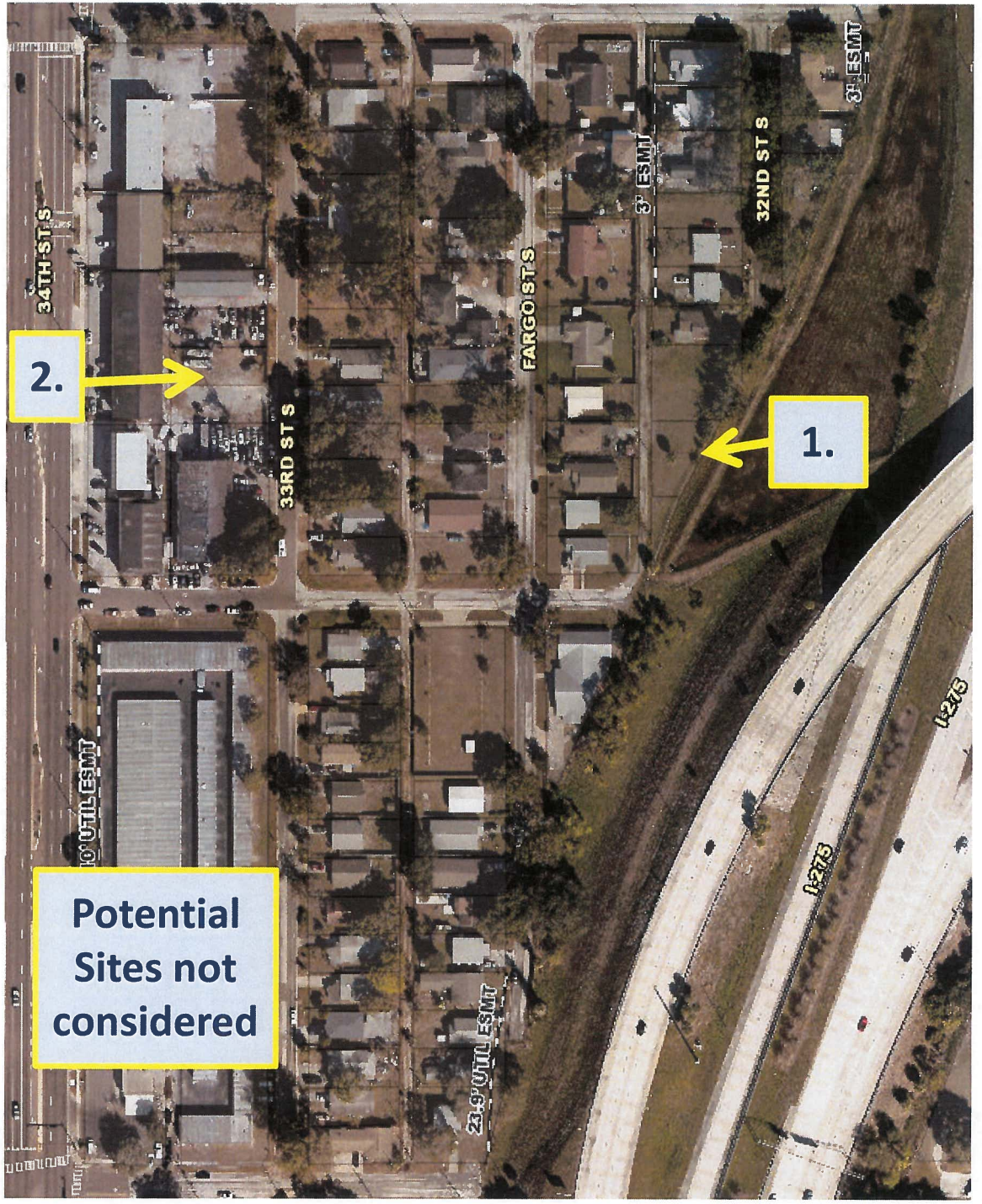
Alternative Analysis Exhibit 2- Southern end of search ring

Photo of site #2. – 3030 18th Ave S.
Lucius Bryant Property

Alternative Analysis Exhibit 2- Southern end of search ring

Photo of site #2. – 3012 18th Ave S.
New Mt. Olive Primitive Church

Alternative Analysis Exhibit 3- northwestern side of search ring



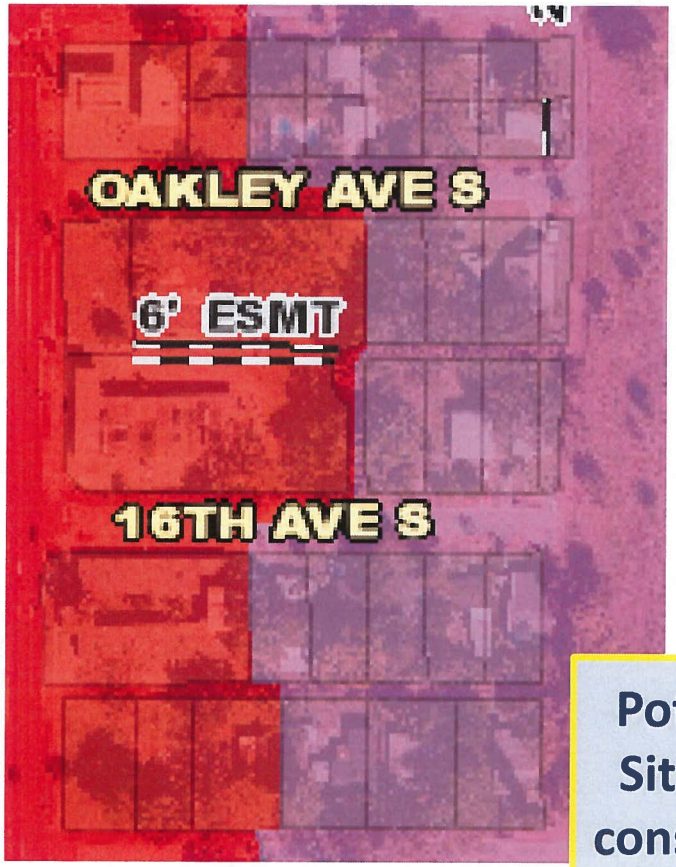
Alternative Analysis Exhibit 3- northwestern side of search ring

Photo of site #2. – 1210 33rd St. S.
Fred LeClair

Alternative Analysis Exhibit 3- northwestern side of search ring

Photo of site #2. – 1246 33rd St. S.
Skyway Property Mgmt Land Trust

Alternative Analysis Exhibit 4- southwestern side of search ring



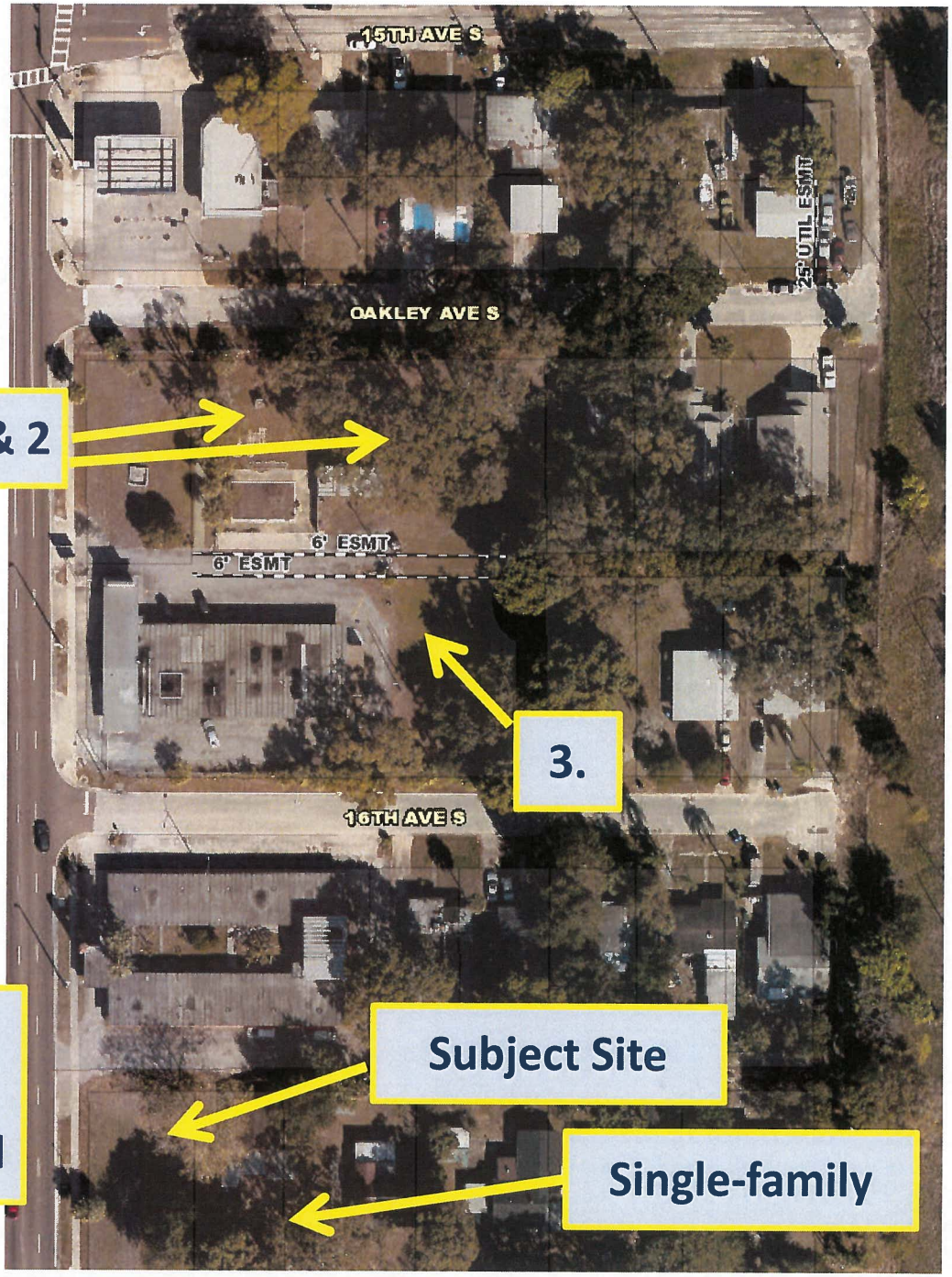


Exhibit 5

Case #17-32000020

Engineering Memo dated August 8, 2017;

Transportation Department Correspondence

Pamela Jones

From: Kyle Simpson
Sent: Thursday, July 27, 2017 9:15 AM
To: Pamela Jones; Elizabeth Abernethy
Cc: Thomas M Whalen; Michael J. Frederick
Subject: RE: Comments due by 8/8 - Case No. 17-32000020 - 3341 17th Ave S - Cell Tower

Transportation and Parking Management has no comments on the case.

Thanks,

Kyle Simpson
Planner I, Transportation and Parking Management
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
(727) 893-7151
Kyle.Simpson@stpete.org
Your Sunshine City

From: Pamela Jones
Sent: Tuesday, July 18, 2017 10:40 AM
To: Alfred Wendler <Alfred.Wendler@stpete.org>; Bruce E. Grimes <Bruce.Grimes@stpete.org>; Jill S. Wells <Jill.Wells@stpete.org>; Kelly A. Donnelly <Kelly.Donnelly@stpete.org>; Kirsten J. Corcoran <Kirsten.Corcoran@stpete.org>; Kyle Simpson <Kyle.Simpson@stpete.org>; Mark Riedmueller <Mark.Riedmueller@stpete.org>; Martha Hegenbarth <Martha.Hegenbarth@stpete.org>; Michael J. Frederick <Michael.Frederick@stpete.org>; Nancy Davis <Nancy.Davis@stpete.org>; Richard F Kowalczyk <Richard.Kowalczyk@stpete.org>; Thomas M Whalen <Tom.Whalen@stpete.org>
Cc: Elizabeth Abernethy <Elizabeth.Abernethy@stpete.org>
Subject: Comments due by 8/8 - Case No. 17-32000020 - 3341 17th Ave S - Cell Tower

Good morning,
Would you all please review the attached and return your comments to me by August 8th. The applicant is seeking approval of a Special Exception and related Site Plan to allow construction of a 125-foot high wireless communication monopole tower.

Thank you,

Pamela Jones
Administrative Clerk, Development Review Services
City of St. Petersburg
One 4th Street North, PO Box 2842
St. Petersburg, FL 33731-2842
Office (727) 892-5498/Fax (727) 892-5557
Pamela.Jones@stpete.org

CITY OF ST. PETERSBURG
MEMORANDUM
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services Department

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: August 8, 2017

SUBJECT: Special Exception

FILE: 17-32000020

LOCATION: 3341 17th Avenue South
AND PIN: 26/31/16/89676/004/0140
ATLAS: J-09
PROJECT: Special Exception

REQUEST: Approval of a Special Exception and related Site Plan to allow construction of a 125-foot high wireless communication monopole tower.

The Engineering Department no objection to the proposed special exception and related site plan with the following special conditions and standard comments:

SPECIAL CONDITIONS:

1. The applicant will need to verify the location of the western property line prior to submittal for building permits. City records show the east right-of-way line of 34th Street South further to the east of where it is shown on the survey and plan submitted. Please contact Mark Riedmueller of the City Engineering & Capital Improvements department to discuss/resolve this discrepancy (phone 727-893-7857, email Mark.Riedmueller@stpete.org).

2. A site modification of 3000 sf triggers compliance with the Drainage and Surface Water Management Regulations found in City Code Section 16.40.030. The proposed gravel surface in the compound will be considered toward the site modification threshold and therefor this site does trigger compliance with the City's Drainage and Surface Water Management regulations. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1 hour design storm.

3. The site plan indicates the placement of gravel directly adjacent to the edge of the public alley which lies north of the project area. The gravel must be adequately contained with edge curb to prevent migration into the alley right of way. Furthermore if this area is to be accessed by heavy equipment, then the portion of the alley adjacent to the compound should be repaved by and at the sole expense of the applicant as a requirement of this development.

4. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions or granted a variance through the City's zoning division. Within the CCS zoning district, a 5-foot wide sidewalk is required along the north parkway of 17th Avenue South in commercial zones (4-foot wide if considered a residential zone, confirm with City zoning department) and a 6-foot wide sidewalk is required in the eastern parkway of 34th Street South (State right of way). Existing sidewalks must be upgraded to meet the width requirements of the City's code as may be applicable.

Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed driveways and alleys as per current ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All public sidewalks must be restored or reconstructed as necessary to good and safe ADA compliant condition prior to Certificate of Occupancy.

5. Submit a completed Stormwater Management Utility Data Form to the City Engineering Department with any plans for development on this site. This form may be obtained by contacting the Engineering front counter phone 727-893-7238.

6. The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for future development on this site. Plans and specifications are subject to approval by the Florida state board of Health.

7. All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within public right-of-way dedicated to the City or within public easement.

STANDARD COMMENTS:
Water service is available to the site. The applicant's Engineer shall coordinate potable water and /or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from a proposed service or an increase in projected flow) as required to provide connection to a public collection system of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in

flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the proposed civil utility connection plan, 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public conveyance system is found insufficient, the conveyance system must be upgraded to provide adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City's Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer's responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

NED/MJR/meh
pc: Kelly Donnelly
Reading File
Correspondence File
Subdivision File: TANGERINE TERRACE

Exhibit 6

Case #17-32000020

Correspondence

st.petersburg
www.stpete.org

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 permit requiring review and public hearing. The applicant, at his option, may elect to include neighborhood mediation as a preparatory step in the development process. 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, 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.

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
N/A
(b) Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters, and other publications
2 mailed letters - One to the abutting property owners per the city's provided list and one to Mr. Willie M. Davis - both are attached.
2 emails to Civic associations - One to Thirty First Street Association (Sevell Brown/sclcflorida@aol.com) and one to Childs Park Association (John Muhammed/95atonement@gmail.com)
(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located
1) City provided abutters list 2) Thirty First Street Association, 3) Childs Park Association
2. Summary of concerns, issues, and problems expressed during the process
None received to date
3. Signature or affidavit of compliance - President or vice-president of any neighborhood associations
Check one: (__) Proposal supported
(__) Do not support the Proposal
(__) Unable to comment on the Proposal at this time
(__) Other comment(s):
Association Name President or Vice-President Signature
If the president or vice-president of the neighborhood association are unavailable or refuse to sign such certification, a statement as to the efforts to contact them and (in the event of unavailability or unwillingness to sign) why they were unable or unwilling to sign the certification.

Elizabeth Abernethy

From: Mattaniah Jahn <mjahn@thelawmpowered.com>
Sent: Friday, July 14, 2017 1:07 PM
To: sclcflorida@aol.com
Cc: Elizabeth Abernethy
Subject: APC - Hysni - Proposed 125' Monopole Communication Tower
Attachments: Monopole at Wiregrass Medical.jpg; Monopole1.jpg

Mr. Brown,

I represent APC, Towers, LLC (APC). APC is proposing to construct a 125' tall monopole style communication tower (Monopole) on parcel # 26-31-16-89676-004-0140 along 34th street. Monopole style means that there will be a single grey pole, like what is used on the interstate lamp posts, with outside antennas at the top. There will be no guy wires or lattice iron works. The Monopole will not be lighted and the base of the monopole will be surrounded on all sides by a code required green vinyl coated chain link fence and landscape buffer. The landscape buffer will consist of a hedge and live oak trees. T-Mobile will be the anchor tenant on the Monopole but it will also be designed so that multiple wireless carriers and wireless service providers, such as wireless internet, can collocate their antennas on it. I am attaching two pictures of previously constructed monopole towers for reference.

The purpose of this email is to inform the 31st Street Association of the project and answer any questions that you may have. Once the application is filed, it will be reviewed by city staff and heard by the City's Development Review Committee. You will receive written notice once a hearing date has been set.

Thank you so much for your time

M

Mattaniah S. Jahn, Esq.

Law Office of Mattaniah S. Jahn, PA
800 Tarpon Woods Blvd., Suite E-1
Palm Harbor, FL 34685
T: 727.773.2221
F: 727.773.2616
C: 941.685.3770
E: mjahn@thelawmpowered.com

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Elizabeth Abernethy

From: Mattaniah Jahn <mjahn@thelawmpowered.com>
Sent: Friday, July 14, 2017 1:12 PM
To: 95atonement@gmail.com
Cc: Elizabeth Abernethy
Subject: APC - Hysni - Proposed Monopole Communication Tower on 34th street south.
Attachments: Monopole1.jpg; Monopole at Wiregrass Medical.jpg

Mr. Muhammed,

I represent APC, Towers, LLC (APC). APC is proposing to construct a 125' tall monopole style communication tower (Monopole) on parcel # 26-31-16-89676-004-0140 along 34th street. Monopole style means that there will be a single grey pole, like what is used on the interstate lamp posts, with outside antennas at the top. There will be no guy wires or lattice iron works. The Monopole will not be lighted and the base of the monopole will be surrounded on all sides by a code required green vinyl coated chain link fence and landscape buffer. The landscape buffer will consist of a hedge and live oak trees. T-Mobile will be the anchor tenant on the Monopole but it will also be designed so that multiple wireless carriers and wireless service providers, such as wireless internet, can collocate their antennas on it. I am attaching two pictures of previously constructed monopole towers for reference.

The purpose of this email is to inform the Childs Park Association of the project and answer any questions that you may have. Once the application is filed, it will be reviewed by city staff and heard by the City's Development Review Committee. You will receive written notice once a hearing date has been set.

Thank you so much for your time, please do not hesitate to contact me at 727-773-2221 with any questions that you may have on this project.

M

Mattaniah S. Jahn, Esq.

Law Office of Mattaniah S. Jahn, PA
800 Tarpon Woods Blvd., Suite E-1
Palm Harbor, FL 34685
T: 727.773.2221
F: 727.773.2616
C: 941.685.3770
E: mjahn@thelawmpowered.com

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31ST STREET NEIGHBORHOOD ASSOCIATION

3235 16TH Avenue South . St. Petersburg, FL 33712. 727-439-1016

Sevell C. Brown, III, President James Brown, Vice President

August 25, 2017

Ms. Elizabeth Abernethy
Development Review Services Division
Planning & Economic Development Department
City of St. Petersburg, Florida
St. Petersburg, FL 33701

Dear Mrs. Abernethy:

Please accept our official notice from the 31st Street Neighborhood Association in St. Petersburg, Florida registering our opposition to the proposed cell tower in Case No. 17-32000020 being advanced by applicant APC Towers, LLC. All residents and businesses adjacent to the property are unanimously and unequivocally opposed to this tower. The residence on all avenues buttressing 34th Street South from 18th Avenue to 5th Avenue South are likewise not supportive of this location for a cell tower.

The resident Mrs. Willie Mae Davis whose Florida room side door and bedroom sits less than 20 yards from the proposed tower is over 84 years and has had major surgery in the last year. Likewise, most of the residents are elderly retirees who have lived here for over 50 years are not amenable to this type of placement that may impact their health and medical status.

Additionally, we are concerned if such a precedent exist where such towers actually are structured on a Florida State Highway like Dwight D. Eisenhower Blvd. or Hwy. 19 which is 34th Street inside our city limits. We have never seen such a placement on a major thoroughfare in St. Petersburg proper.

We remain immensely appreciative of the Development Review Commissions consideration of our concerns.

Sevell C. Brown, III, President
31st Street Neighborhood Association

Sevell C. Brown, III, President
31st Street Neighborhood Association

Elizabeth Abernethy

From: P5546@aol.com
Sent: Friday, July 28, 2017 10:50 AM
To: Elizabeth Abernethy
Subject: Re: 3341 17TH AVE South SPECIAL EXEMP. ELIZABETH ABERNETHY

will you hold hearings so we can respond to this harmful situation ?

In a message dated 7/22/2017 8:28:49 A.M. Eastern Daylight Time, Elizabeth.Abernethy@stpete.org writes:

> Do you want the applicant to make a presentation or be available to answer questions at your upcoming meeting? I am available to attend as well if desired.
>
> Regards,
> Elizabeth Abernethy, AICP
> Zoning Official
>
> Sent from my iPhone
>
> On Jul 21, 2017, at 4:08 PM, "P5546@aol.com" <P5546@aol.com> wrote:
>
> REF: 3341 17TH AVE S. SPECIAL EXEMPTION
>
> Today Friday we neighbors had another meeting :
>
> P.Papadogeorgis 1600 34TH ST S.
> James Brown 3310 16TH AVE S.
> Peter Smith 3325 17TH AVE S.
>
> We all are very concern that this project will worsen the Vagrant,prostitution ,and drug problem we have in our area .A vacant unattended lot,(even if fenced) will be magnet to the wrong elements , It will greatly diminish the value and enjoyment of our properties as is now . Furthermore 34 street is a tourist corridor not an industrial area
>
> I have contacted Sgt Eliz. Ledbetter to contact you . and since i am a member of "Child's park comm. organization, I will bring this up at our next meeting Tuesday August 15TH
>
> In a message dated 7/20/2017 3:38:29 P.M. Eastern Daylight Time, Elizabeth.Abernethy@stpete.org writes:
>
> > This is not a rezoning request.
> >
> > It is a request to construct a cell tower, see attached
> >
> > Please let me know if you have any questions or concerns regarding the proposed tower,
> >
> > Thanks!

--Liz

From: P5546@aol.com [mailto:P5546@aol.com]
Sent: Thursday, July 20, 2017 3:18 PM
To: devrev
Subject: 3341 17TH AVE South SPECIAL EXEMP. ELIZABETH ABERNETHY

My name is P Papadogeorgis I am the owner of 1600 34TH ST South St Petersburg FL.

I am the owner of the Driftwood motel .

I Strongly abject to rezoning of parcel 3341 17 Ave south St Petersburg FL.

We have problems of prostitution and drug dealers in this area we are trying very hard with the help of the police department Sergeant Elizabeth Ledbetter (727) 8925427

Elizabeth.ledbetter@stpete.org to fight this problem .An unattended vacant lot will be a magnet for Vagrants of all kinds , I will be unable to rent to good people at my MOTEL.As i required by the City of ST Petersburg police Department and Andrea R. LUCE City Attorney

It will greatly and NEGATIVELLY affect my property and the values of the other neighbors i.e Mr Brown owner of the property behind me (cell 727 327 8898 .

Please do not take any actions until you have address these concerns

THANK YOU

P.
PAPADOGEORGIS

EMAIL: p5546@aol.com

Cell 727 6447457

Elizabeth Abernethy

From: Elizabeth Abernethy
Sent: Thursday, September 28, 2017 8:51 AM
To: 'Mattaniah Jahn'
Cc: Michael Dema (michael.dema@stpete.org)
Subject: FW: APC - FL-1473 Hysni - Response to staff alternate sites
Attachments: Site Aq Methodology Letter FL_1473 rev3.pdf; A2H0322 Justification package_ 09182017.pptx

Mattaniah,

In response to our discussion yesterday afternoon, I re-reviewed the "A2H0322 Justification package" file (attached) that you emailed to me on September 18th, see below and attached.
In our conversation, you asserted that this analysis addressed the alternative analysis criteria (16.50.480.3 (D).5) . I do not agree that it addresses this criteria, rather it addresses the following criteria related to why other existing towers will not work, see page 2 of the "A2H0322 Justification package" file, and applicable code sections below. **We have accepted this analysis as meeting these criteria.**

16.50.480.3(A)

10. *The application shall contain information showing the geographic search area within which the proposed WCSF must be located and shall also provide locations of all structures of similar height within and adjacent to the search area.*
11. *If co-location or location as a permitted accessory use is not proposed, then the applicant must demonstrate in the application as to why co-location or location as a permitted accessory use is not possible.*

16.50.480.3(C)

1. *A new WCSF shall not be approved unless it can be demonstrated by the applicant that there is no existing WCSF or no other structures or replacement of an existing WCSF that can be used for the placement of the WCA. Information concerning the following factors, which shall be provided by the applicant, shall be considered in determining that such need exists:*
   a. *Insufficient structural capacity of existing WCSFs or other suitable structures and infeasibility of reinforcing or replacing an existing WCSF;*
   b. *Unavailability of suitable locations (including other sites within the zoning districts listed in columns B and C of the Use Matrix for WCSFs) to accommodate system design or engineering on an existing WCSF or other structures;*
   c. *Radio frequency interference or other signal interference problems at existing WCSF or other structures;*
   d. *A comparative evaluation (which may include cost studies) for the placement of a new WCSF versus the utilization of existing WCSFs, other structures (such as buildings or power transmission poles), the availability of alternative technologies or the placement of multiple smaller height WCSFs as alternatives to provide the same level of service. However, the fact that the use of an existing WCSF or other structure would cost more than the cost of constructing a new WCSF will not, absent other factors, justify approval;*

e. *Other factors which demonstrate the need for the new WCSF*

I find that this file does not address this criteria:

16.50.480.3(D)

5. *If the WCSF is not entirely surrounded by commercial or industrial uses, a written justification of the need for this site showing why other sites are not reasonable.*

The letter from James McNichol's does address this criteria. As we discussed in our meeting with Michael Dema, staff does not find this sufficient to meet this criteria, and therefore is recommending denial of the application at this time. If you have any additional documentation to support a finding of compliance with this criteria, please feel free to transmit it to me prior to the hearing for distribution to the commissioners, or bring 10-hard copies to the meeting.

Feel free to contact me if you have any further questions prior to the hearing.
If you should need more time to gather additional documentation, you can request a continuance prior to or at the hearing.
If you request this at the hearing, it will be up to the commission to vote on whether to grant your request, as there may be parties there to speak on the case.

I will be forwarding the staff report to you later this AM

Regards,
Elizabeth Abernethy, AICP
Zoning Official, Development Review Services Manager
Planning & Economic Development Department
City of St. Petersburg
P.O. Box 2842, St. Petersburg, FL 33731
727-892-5344 / Fax: 727-892-5557
Elizabeth.Abernethy@stpete.org

Please note all emails are subject to public records law.

From: Mattaniah Jahn [mailto:mjahn@thelawmpowered.com]
Sent: Monday, September 18, 2017 5:44 PM
To: Elizabeth Abernethy
Subject: APC - FL-1473 Hysni - Response to staff alternate sites

Liz,

I am attaching documentation from both James McNichol and from T-Mobile, which addresses the staff alternate sites. Please do not hesitate to contact me if I may be able to provide any additional information on this.

Thanks,

M

Mattaniah S. Jahn, Esq.

Law Office of Mattaniah S. Jahn, PA
800 Tarpon Woods Blvd., Suite E-1
Palm Harbor, FL 34685
T: 727.773.2221
F: 727.773.2616
C: 941.685.3770

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www.stpete.org

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

DEVELOPMENT REVIEW COMMISSION
STAFF REPORT

SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Economic Development Department records, **no Commission member** 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **October 4, 2017, at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.:	17-32000022	PLAT SHEET:	H-14
REQUEST:	Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property.		
OWNER:	Florida Holdings Group, LLC PO Box 388 Pinellas Park, Florida 33780		
AGENT:	Jonathan Gotwald George F. Young, Inc. 299 Dr. Martin Luther King Jr. Street North Saint Petersburg, Florida 33701		
ADDRESSES AND: PARCEL ID NOS.:	1616 23rd Avenue North; 12-31-16-98730-000-0310 2200 16th Street North; 12-31-16-98730-000-0070		
LEGAL DESCRIPTION:	On File		
ZONING:	Neighborhood Traditional-1 (NT-1) and Corridor Residential Traditional (CRT-1)		
SITE AREA TOTAL:	35,429 square feet or 0.81 acres		
GROSS FLOOR AREA:			
Existing:	8,821 square feet	0.25 F.A.R.	
Proposed:	7,726 square feet	0.21 F.A.R.	

Permitted:	28,562 square feet	1.0 F.A.R.

BUILDING COVERAGE:

Existing:	8,821 square feet	25% of Site MOL
Proposed:	7,726 square feet	21% of Site MOL
Permitted:	N/A	

IMPERVIOUS SURFACE:

Existing:	14,868 square feet	42% of Site MOL
Proposed:	14,435 square feet	41% of Site MOL
Permitted:	25,886 square feet	73% of Site MOL

OPEN GREEN SPACE:

Existing:	13,210 square feet	37% of Site MOL
Proposed:	13,642 square feet	39% of Site MOL

PAVING COVERAGE:

Existing:	7,517 square feet	21% of Site MOL
Proposed:	7,084 square feet	20% of Site MOL

PARKING:

Existing:	31; including 3 handicapped spaces
Proposed:	38; including 3 handicapped spaces
Required	25; including 1 handicapped spaces

BUILDING HEIGHT:

Existing:	24 feet
Proposed:	24 feet
Permitted:	36 feet

APPLICATION REVIEW:

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for an accessory surface parking lot which is a Special Exception use within the NT-1 Zoning District.

II. **DISCUSSION AND RECOMMENDATIONS:**

The Request:
The applicant seeks approval of a Special Exception and related site plan to construct an accessory surface parking lot on a residentially zoned lot. The subject property is located on the south side of 23rd Avenue North, west of 16th Street North.

Current Proposal:
The applicant is seeking to provide additional parking for a future tenant. The applicant has recently purchased a residential zoned lot along 23rd Avenue North that is northwest of the existing medical office building to add additional parking. Parking on a NT-1 zoned parcel is a Special Exception use. The Special Exception use is discussed later in the report.

The subject property is currently developed with a single-family residence and detached garage. The applicant is proposing to demolish the existing single-family residence and keep the detached garage. The existing detached garage has been enclosed with a block wall. In order for the detached garage to remain, the existing detached garage has to be accessible for the parking of a motor vehicle. A condition has been added to the report to address this issue.

The proposed parking lot will accommodate 11 parking spaces. The parking lot will be accessed from the existing alley that connects to 22nd and 23rd Avenues North. The applicant will be required to install a fence or wall along the north and west sides of the proposed parking lot. Code required landscaping is also required.

Special Exception:
As mentioned above, the parking spaces on the NT-1 zoned parcel is a Special Exception use that requires the Development Review Commission's (DRC's) review and approval. The DRC is responsible to evaluate the proposed use to ensure compliance with the applicable review criteria as outlined in City Code, with a focus on the potential for adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility. Staff has suggested several special conditions of approval for the DRC's consideration. The special conditions are intended to promote compatibility and minimize negative impacts on the adjacent residential neighborhood consistent with the applicable standards in the City's Land Development Regulations for these types of uses. If the request is approved consistent with the suggested special conditions, Staff does not anticipate a significant impact to the surrounding area.

Public Comments:
Staff received multiple emails requesting additional information. Staff did receive one email expressing frustration over the proposed project and one email objecting the proposed project, both emails have been attached to this report.

III. RECOMMENDATION:

A. Staff recommends APPROVAL of the Special Exception and related site plan, subject to the Special Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:

1. **The applicant and any future property owner(s) shall be responsible for restricting vehicular use of the portion of the parking lot zoned NT-1 between the hours of 10 p.m. and 7:00 a.m. The method to block the parking spaces shall be noted on the site plan submitted for permitting and shall be subject to review and approval by the Fire Department.**
2. **The applicant and any future property owner(s) shall be responsible for ensuring that the NT-1 portion of the parking lot is not utilized for any sales or service activities, long term parking, storage of dumpsters, heavy vehicles or similar equipment.**
3. **When the principal use is not open for business, the parking lot shall not be used for parking, except by employees.**
4. **The existing detached garage shall be accessible for the parking of a motor vehicle, otherwise the existing detached garage shall be demolished.**
5. **The hedge that is required to screen the parking lot along the north side of the property shall be installed on the exterior perimeter of the fence or wall.**

6. **A six (6) foot high vinyl fence or wall shall be constructed along the west property line of the new parking lot.**
7. **A minimum four (4) foot high fence or wall shall be constructed along 23rd Avenue North, located a minimum of 10 feet back from the front property line.**
8. **Evergreen trees shall be installed around the exterior perimeter of the new parking lot.**
9. **One evergreen shade tree shall be installed every 30 linear feet in the 23rd Avenue North right-of-way. Evergreen understory trees can be substituted with shades tree at a ratio of 1.5 to 1 if there is a conflict with existing utilities.**
10. **A minimum of 25 percent of the 23rd Avenue North right-of-way shall be landscaped with ground cover or accent plants.**
11. **Exterior lighting shall comply with Section 16.40.070.**
12. **Bicycle parking shall comply with Section 16.40.090.4.1.**
13. **Plans shall be revised as necessary to comply with comments provided by the City's Engineering Department memorandum dated September 6, 2017.**
14. **The special exception and related site plan approval is valid until October 4, 2020. Substantial construction shall commence prior to the expiration date, unless an extension has been approved by the POD. A request for an extension must be received in writing prior to the expiration date.**

C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.

2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).

3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).

2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:

a. Water.
b. Sewer (Under normal operating conditions).
c. Sanitation.
d. Parks and recreation.
e. Drainage.

The land use of the subject property is: **Planned Redevelopment Mixed-use and Planned Redevelopment Residential**

The land uses of the surrounding properties are:

North:	**Planned Redevelopment Mixed-use and Planned Redevelopment Residential**
South:	**Planned Redevelopment Mixed-use and Planned Redevelopment Residential**
East	**Planned Redevelopment Mixed-use and Planned Redevelopment Residential**

West: **Planned Redevelopment Mixed-use and Planned Redevelopment Residential**

REPORT PREPARED BY:

Corey Malyszka 9/25/17

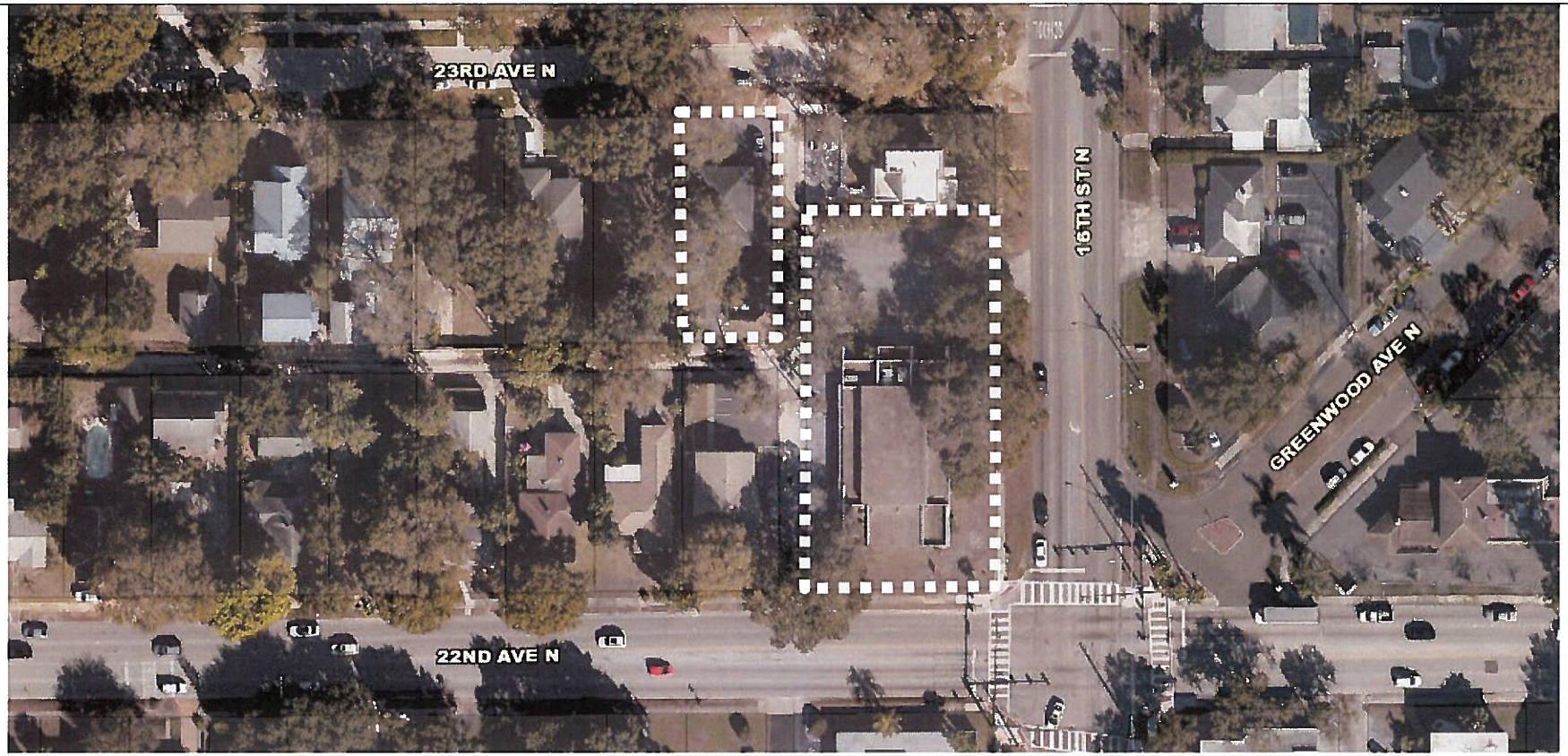
COREY MALYSZKA, Urban Design & Development Coordinator DATE

REPORT APPROVED BY:

Elizabeth Abernethy 9-25-17

ELIZABETH ABERNETHY, AICP, Zoning Official (POD) DATE
Planning and Economic Development
Development Review Services Division

Attachments: Location map, Site plan, Landscape plan, Narrative, Engineering Department Memo dated September 6, 2017.



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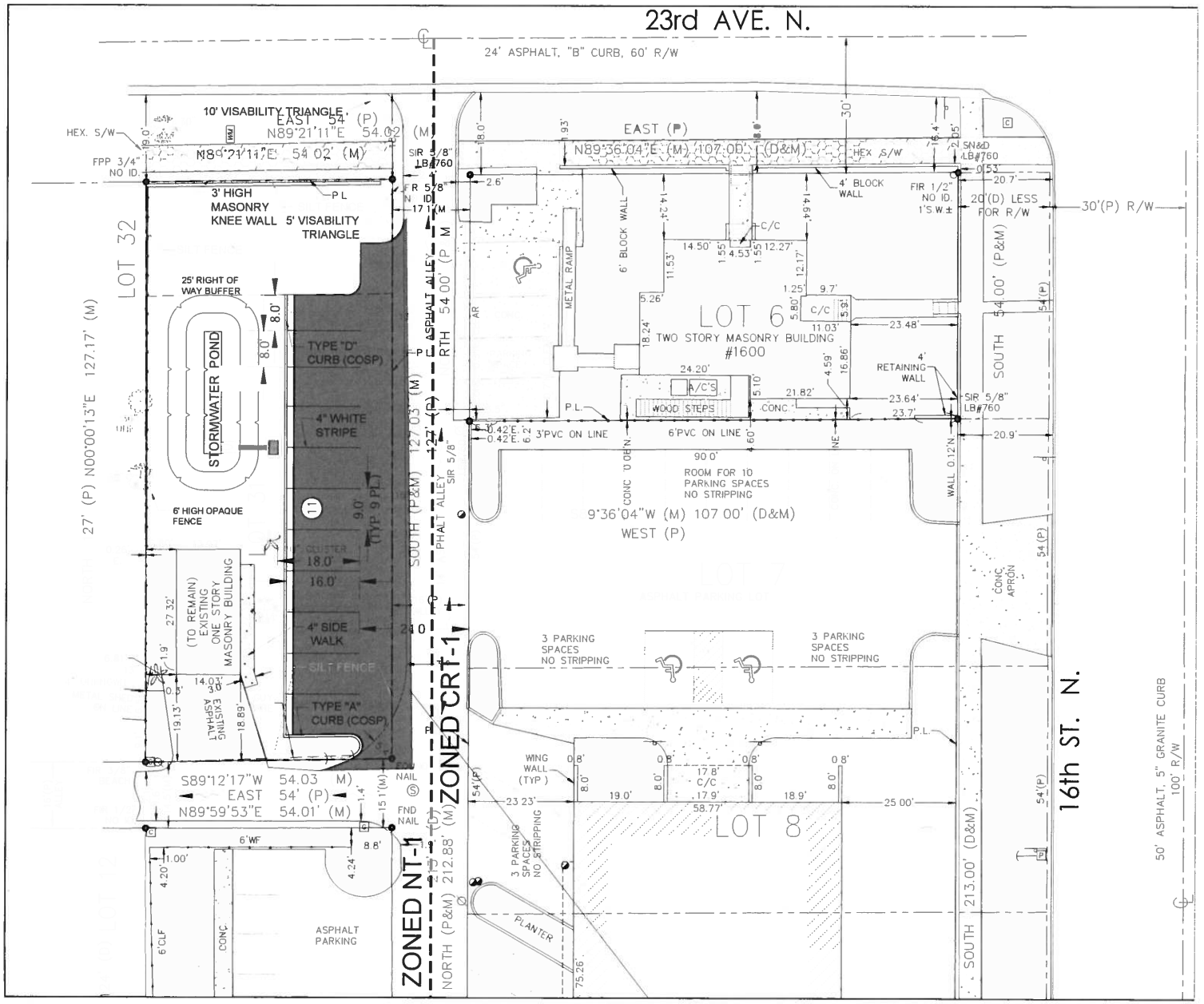
City of St. Petersburg, Florida
Development Review Services
Case No.: 17-32000022
Address: 1616 23rd Avenue North

N

(nts)


23rd AVE. N.
24' ASPHALT, "B" CURB, 60' R/W
10' VISABILITY TRIANGLE
EAST 54' (P)
N89°21'11"E 54.02' (M)
N89°21'11"E 54.02' (M)
HEX. S/W
FPP 3/4" NO ID.
3' HIGH MASONRY KNEE WALL
5' VISABILITY TRIANGLE
LOT 32
25' RIGHT OF WAY BUFFER
STORMWATER POND
6' HIGH OPAQUE FENCE
27' (P) N00°00'13"E 127.17' (M)
TYPE "D" CURB (COSP)
4" WHITE STRIPE
4" SIDE WALK
SILT FENCE
TYPE "A" CURB (COSP)
(TO REMAIN) EXISTING ONE STORY MASONRY BUILDING
EXISTING ASPHALT
S89°12'17"W 54.03' (M)
EAST 54' (P)
N89°59'53"E 54.01' (M)
ASPHALT PARKING
ZONED NT-1
ZONED CRT-1
NORTH (P&M) 212.88' (M)
SOUTH (P&M) 127.03' (M)
RTH 54.00' (P&M)
PHALT ALLEY
EAST (P)
N89°36'04"E (M) 107.00' (D&M)
HEX S/W
4' BLOCK WALL
6' BLOCK WALL
METAL RAMP
LOT 6
TWO STORY MASONRY BUILDING
#1600
WOOD STEPS
3'PVC ON LINE
6'PVC ON LINE
ROOM FOR 10 PARKING SPACES NO STRIPPING
9°36'04"W (M) 107.00' (D&M)
WEST (P)
3 PARKING SPACES NO STRIPPING
3 PARKING SPACES NO STRIPPING
WING WALL (TYP)
LOT 8
PLANTER
SOUTH 213.00' (D&M)
SOUTH 54.00' (P&M)
20'(D) LESS FOR R/W
30'(P) R/W
4' RETAINING WALL
CONC APRON
16th ST. N.
50' ASPHALT, 5" GRANITE CURB 100' R/W

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August 14, 2017

Elizabeth Abernathy
City of St. Petersburg
Planning and Zoning Dept.
One 4th Street North
P.O. Box 2842
St. Petersburg, FL 33731-2842
727-893-7471

RE: Special Exception Request for 1616 23rd Ave. N.

In association with the re-development of office parcels located on the northwest corner of 22nd Avenue North and 16th Street, (2200 16TH Street North & 1600 23rd Ave. N.) Florida Holdings Group, LLC, would like to request a Special Exception for the parcel located at 1616 23rd Avenue North to allow for additional parking spaces and the associated stormwater pond for said parking spaces. We are submitting the attached Special Exception Application and required attachments for review. The parcel is currently Zoned NT-1 and is a single family residence. The house, some trees, and other improvements are to be demolished to make way for the new parking spaces and associated stormwater pond. There is a detached garage we are planning to leave in place. The new parking spaces will be located adjacent to the existing alley, which will be widened to allow for the 24' required drive isle for 90 degree parking spaces. The adjacent parcels, with medium intensity offices uses, are Zoned CRT-1. The owners are currently working with new tenants on future parking needs which is why we are making the request at this time.

We are hoping to maximize the buffering between the residential use with the placement of the pond and by leaving the existing garage in place. This should provide an approximate 28' between the parking spaces and the proposed 6' high opaque fence and buffer to the west or the residential use. We will provide landscaping within all buffers per the City of St. Petersburg's Landscaping Regulations.

Please review the Special Exception Submittal Packet and feel free to contact me with any questions or concerns.

Sincerely,

GEORGE F. YOUNG, INC.

David Goree

CITY OF ST. PETERSBURG
MEMORANDUM
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services Department

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: September 6, 2017

SUBJECT: Special Exception

FILE: 17-32000022

LOCATION: 1616 23rd Avenue North
AND PIN: 12/31/16/98730/000/0310
ATLAS: H-14
PROJECT: Special Exception

REQUEST: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property.

The Engineering Department no objection to the proposed special exception and related site plan with the following special conditions and standard comments:

SPECIAL CONDITIONS:

1. The scope of this project triggers compliance with the Drainage and Surface Water Management Regulations found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1 hour design storm.

2. Submit a completed Stormwater Management Utility Data Form to the City Engineering Department with any plans for development on this site. This form may be obtained by contacting the Engineering front counter phone 727-893-7238.

3. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions or a variance is obtained from the City's Zoning division. Within the NT zoning district, a 4-foot wide sidewalk is required in the southern parkway of 23rd Avenue North, a 6-foot wide sidewalk is required in the western parkway of 16th Street North, and a 6-foot wide sidewalk is required in the northern parkway of 22nd Avenue North. Existing sidewalks must be upgraded to meet the width requirements of the City's code as may be applicable. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections

with roadways that are not at sidewalk grade and at each side of proposed driveways per current ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All public sidewalks must be restored or reconstructed as necessary to good and safe ADA compliant condition prior to Certificate of Occupancy.

4. All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

5. The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for future development on this site. Plans and specifications are subject to approval by the Florida state board of Health.

STANDARD COMMENTS: Water service is available to the site. The applicant's Engineer shall coordinate potable water and /or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City's Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards 0and Specifications and shall be performed by and at the sole expense of the developer.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least one foot above the FEMA elevation. Habitable floor elevations for projects subject to compliance with the Florida Building Code, Residential, shall be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer's responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

NED/MJR/meh
pc: Kelly Donnelly
Reading File
Correspondence File
Subdivision File: TANGERINE TERRACE

Corey D. Malyszka

From: Jamie Fryer <jamielfryer@gmail.com>
Sent: Thursday, September 21, 2017 12:37 PM
To: Corey D. Malyszka
Subject: Re: Case no: 17-32000022

Thank you so much. This is a frustrating situation. I hope we are able to provide enough information to sway this decision. We've worked very hard to grow and foster a community on this block.

Thanks again and talk soon,
Jamie

Sent from my iPhone

> On Sep 21, 2017, at 12:25 PM, Corey D. Malyszka <Corey.Malyszka@stpete.org> wrote:
>
> Jamie,
>
> Page 13 is the old site plan. The revised site plan was attached as a separate attachment in the email I sent to your husband. Unfortunately, the code does not require that the applicant speak with the abutting neighbors. Code does require that the applicant inform any affected neighborhood association. Code also requires public notice be sent out to affected property owners within 200 feet of the subject property, minus right-of-way. City staff does encourage applicants to engage with the abutting neighbors.
>
> I attached the revised site plan.
>
>
> Corey Malyszka
> Urban Design and Development Coordinator, Planning and Economic
> Development Department City of St Petersburg
> 727.892.5453
> corey.malyszka@stpete.org
>
>
>
>
> -----Original Message-----
> From: Jamie Fryer [mailto:jamielfryer@gmail.com]
> Sent: Thursday, September 21, 2017 12:10 PM
> To: Corey D. Malyszka <Corey.Malyszka@stpete.org>
> Subject: Case no: 17-32000022
>
>
> Hi Corey,
>
> My husband shared the files with me regarding the development proposal but page 13 is not legible. Is there a more clear copy? Also, page 5/13 is very frustrating since the ONLY notification we have been given was the proposal from the city. There were no other inquiries of residential feedback for submission-I have inquired with two other homes on the

street and the consensus was the same. There are many residents on our street very sick over this projection and we do plan to send you our feedback for committee review. We are working diligently to get this to you by/before Tuesday.
>
> Thank you for your help.
>
> Jamie Hall
>
> Sent from my iPhone
>
> Your Sunshine City<http://www.stpete.org/vision>
>
> <17016000SC CDs-Site Plan C-04.pdf>

Corey D. Malyszka

From: Christine Leddy <cleddy15@gmail.com>
Sent: Saturday, September 23, 2017 6:05 PM
To: Corey D. Malyszka
Subject: Case No 17-32000022

Hi Corey - my name is Christine Leddy and I received a letter informing me of this case. I live at 1645 23rd Avenue N, just a few houses down and across the street. Your name was given as the contact for more information. I am opposed to this plan and would like to know what steps I need to take to get this on record. I may not be able to attend the hearing due to work obligations but will try.

Our street is a residential area, not a business district. There are children who live on our street and an elementary school and day care less than 1 mile away. This plan will increase traffic which is dangerous for little children and those of us who walk our dogs. This will also have a negative impact on the value of our homes. This is a nice, quiet neighborhood and we prefer to have a home in this location and not a parking lot for the businesses on 22nd Avenue.

Please contact me at this email address or by phone at (770) 880-8851.

Regards,
Christine Leddy
Homeowner

Corey D. Malyszka

From:	Jamie Hall <jamielfryer@gmail.com>
Sent:	Monday, September 25, 2017 6:19 PM
To:	Corey D. Malyszka
Cc:	Gordon Hall
Subject:	Regarding Case: 17-32000022
Attachments:	file.jpeg; file1-1.jpeg; file3.jpeg; file4.jpeg; unnamed-2.jpg; unnamed-3.jpg; unnamed-4.jpg

Hi Corey,

I am writing as a concerned resident on 23rd Avenue N in reference to the special request of development for the commercial lot on 1616 property.

The concerns we have in my residence and on our street are as follows:

-Safety of residents on our street. Unfortunately, we find our street is already often abused as a 'passer-through' street when 16 & 22nd traffic light jams and we feel that with introduction of commercial traffic to the street, traffic from unweary drivers will make it unsafe for children playing outside and discourage a neighborly engagement.
In addition to this traffic, we are also concerned that the school zone at 16th and 23rd will drive commercial drivers to continue onto 23rd as their main driving route, further increasing the safety concerns of any residents with young children or special needs.

-Noise from additional vehicle traffic. With the introduction of this additional traffic also comes unconcerned motorists and their car radios (not to mention increased litter). We are concerned that this noise will become a barrier with the development of our quaint, family-centric street.

-Aesthetics of the community feel. While we are aware this particular lot is not necessarily the green space we would like to see on the street, it is the only lot that lacks this trait. Just months ago, a house on the same side of the road a few houses down was ripped down and now we have a gorgeous home filling its previous space. 1616 is the only house on the street that needs this investment and with the proposal of the parking spaces we will lose this opportunity forever and simultaneously take away from all those who have worked hard to improve the beautification of our street.

-Finally, and perhaps most important to the city's commission: Alignment with 'Healthy St. Pete' city initiatives/goals. It would seem that a parking lot in a neighborhood goes against sustainability initiatives to increase pedestrian activity and become a less car-oriented society. Also, I understand our city has a sustainability oriented neighborhood initiative called "STAR communities" and allowing a parking lot in the middle of a neighborhood flies in the face of that initiative and their objectives for their 2019 certification.

As a side note, we took a look at the current commercial building on the corner of 16th & 22nd for which this proposal would be built and he currently has 25 non-designated spaces available as well as 2 spaces which are handicap accessible- all of which are empty every day. There are a multitude of successful businesses that thrive with less to work with.

Additionaly, there are a total of 18 houses on 23rd ave between 16th and 17th street where this proposed home sits. If approved, this once residential lot will absorb future potential our street could have. We do not have the excess available to lose a house for commercial use without the security of our homes and home value being negatively impacted.

I've attached photos that provide a more complete perspective of our street including the house mentioned above that is part of a recent rebuild and the relationship of the school zone to this particular home and hope that the commission will take into consideration the impact this would have if approved.

Thank you and best regards,
Jamie & Gordon Hall
1665 23rd Ave N.

AHEAD

1 ST N

1616

Corey D. Malyszka

From:	Angie Leonetti <littlelion75@yahoo.com>
Sent:	Tuesday, September 26, 2017 9:06 PM
To:	Corey D. Malyszka
Subject:	Case No. 17-32000022
Attachments:	17-32000022 application.pdf; 17016000SC CDs-Site Plan C-04.pdf

Hello Corey,

My name is Angie Leonetti, I'm a home owner on the 1600 block of 23rd Avenue. I received your information from Jamie & Gordon Hall. Thank you for forwarding the details related to the application to create a commercial parking lot as noted in case 17-32000022.

I would like to express some concerns and objections I have related to this case:

1. Devaluing a wonderful neighborhood: While we are not organized as a neighborhood association like Woodlawn and Euclid St. Paul (yet), we are a very well connected and proud neighborhood. Many of us have chosen to purchase homes in this area because we love the idea of living in a vibrant, safe neighborhood within the city limits of St. Petersburg. Many of us are active in St. Petersburg related organizations and are proud to call this city "home." We purposely invested in this particular neighborhood due to its friendly, welcoming atmosphere. We've made the effort to get to know our neighbors and we look out for one another. A parking lot is the exact opposite of a friendly, welcoming atmosphere and will bring unwanted activity to our peaceful block.

2. Encroaching commercial use property: Simply put, this will devalue our homes. We are already flanked by two busy, main roadways (16th Street & 22nd Ave). Yet, we've maintained a rather quite neighborhood environment. Many of the owners on this block have invested in major improvement to their homes in the last 2-3 years. The addition of another commercial zoned lot on our block we certainly have a negative impact on our property values, especially to those homes that are adjacent to the lot in question.

I not only concerned about the immediate intended use for the property but the future use as well. Once it is zoned commercial, it will be difficult to ever have it rezoned. We will then lose control over its long term use, yet not have the foresight to know exactly what will happen to the property in the future. I would hate to see that lot fall into disrepair like many of the other underdeveloped and poorly maintained lots that are prevalent on both 16th and 22nd. We already have enough of these that devalue the area. We do NOT need another.

The adjacent building on the corner of 16th & 22nd that is requesting the use of this lot for additional parking already has a sufficient number of parking spots. The fact that they are requesting more, leads me to believe they intend to develop that property for high-traffic use. Again, this will most certainly have a negative impact on our neighborhood in many of the ways I've already stated. If they need that much parking, they should consider a location in a commercial area that is suited for that level of traffic. NOT in our residential neighborhood.

3. Safety:

- 23rd is often used by walkers and bike riders as a more safe & peaceful alternative to busy 22nd Ave. The addition of this parking lot will simply deteriorate this safety with the addition of car traffic on 23rd.
- A parking lot that is NOT visible to traffic on 16th & 22nd could lead to unlawful activities such as car break-ins, drug activity and other such undesirable and alarming concerns. Bringing increased safety issues right next to our properties.

4. Value of the property: St. Petersburg is seeing unprecedented real estate growth. As more and more people are choosing to call St. Pete home, there is high demand for quality residential property. Developing the lot as a new residential home would have much more sustainable value than a parking lot. There are plenty of investors that would be willing to buy that land and build a brand new home. For proof, look to the other end of the block (corner of 17th & 23rd) and the brand new home that is being completed there as we speak and to the many other new construction homes that are popping up in the adjacent blocks.

5. Environmental issues: As St. Petersburg moves towards becoming a sustainable city, the addition of more asphalt and surface parking flies in the face of this master plan. It encourages more car use, when we should be focused on promoting public transportation. This commercial property requesting use of this lot sits adjacent to major roadways with bus stops near by, making access to the property easy via public transportation. And, yes, I'm fully aware that we are a long way from providing a public transportation system that most citizens will adopt more freely and use more frequently. However, we will never get there if we continue to cater to the car culture we're all so accustomed to.

I express these concerns not only as a resident of the block affected but as someone who cares deeply for our wonderful city and wants to see appropriate growth and development initiatives. This simply isn't one of them.

Please do not approve this application to rezone the property to commercial use.

I would like to be included on any future staff emails related to this matter. My email is littlelion75@yahoo.com

My Kindest Regards,
Angie Leonetti
1654 23rd Avenue N.

st.petersburg
www.stpete.org

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

DEVELOPMENT REVIEW COMMISSION
STAFF REPORT

SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Economic Development Department records, Commissioner Charles Flynt 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **October 4, 2017, at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.:	17-32000023	PLAT SHEET:	O-6
REQUEST:	Approval of a Special Exception and related Site Plan to add a carwash at an existing fuel station with a Variance to setbacks.		
OWNER:	7-Eleven, Inc. 3200 Hackberry Road Irving, Texas 75063		
AGENT:	Katie Cole, Esq. Hill Ward Henderson 600 Cleveland Street #800 Clearwater, Florida 33755		
ADDRESS:	855 Tyrone Boulevard North		
PARCEL ID NO.:	17-31-16-50382-000-0640		
LEGAL DESCRIPTION:	On File		
ZONING:	Corridor Commercial Suburban-1 (CCS-1)		
SITE AREA TOTAL:	0.71 square feet or 30,928 acres		
GROSS FLOOR AREA:			
Existing:	7,105 square feet	0.23 F.A.R.	
Proposed:	4,033 square feet	0.10 F.A.R.	
Permitted:	16,947 square feet	0.55 F.A.R.	

BUILDING COVERAGE:

Existing:	7,105 square feet	23% of Site MOL
Proposed:	4,033 square feet	10% of Site MOL
Permitted:	16,947 square feet	55% of Site MOL

IMPERVIOUS SURFACE:

Existing:	24,812 square feet	80% of Site MOL
Proposed:	24,159 square feet	78% of Site MOL
Permitted:	26,191 square feet	85% of Site MOL

OPEN GREEN SPACE:

Existing:	6,001 square feet	19% of Site MOL
Proposed:	6,654 square feet	22% of Site MOL

PAVING COVERAGE:

Existing:	17,707 square feet	57% of Site MOL
Proposed:	20,126 square feet	65% of Site MOL

PARKING:

Existing:	13; including 1 handicapped spaces
Proposed:	15; including 1 handicapped spaces
Required	15; including 1 handicapped spaces

BUILDING HEIGHT:

Existing:	18 feet
Proposed:	18 feet
Permitted:	36 feet

APPLICATION REVIEW:

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a car wash which is a Special Exception use within the CCS-1 Zoning District.

II. **DISCUSSION AND RECOMMENDATIONS:**

The Request:
The applicant seeks approval of a Special Exception and related site plan to add an automatic single-bay carwash at an existing fuel station. The applicant is seeking a variance to setbacks for the carwash bay. The subject property is located at the southeast corner of Tyrone Boulevard North and 9th Avenue North.

Current Proposal:
The subject property is developed with an existing 2,556 square foot fuel station and fuel canopy that were built in 2007. The applicant purchased the property east of the existing fuel station that will be incorporated into the proposed redevelopment. The eastern property is developed with a 7,000 square foot commercial building that was built in the 1950s.

The existing fuel station building and commercial building will be demolished. The existing fuel canopy will remain. A new 3,053 square foot convenience store will be built generally in the same location as the existing fuel station building. A new car wash bay will be constructed south of the new convenience store. A dumpster enclosure designed to accommodate two new dumpsters will be built on the east side of the new convenience store building. There are two existing ingress/egress driveways. A new ingress/egress point is proposed along the alley, west of the car wash bay and a new driveway connecting the alley to the street is proposed along the east side of the convenience store building. Vehicles will enter the car wash on the west side of the car wash bay and exit on the east side of the car wash bay. Code requires five (5) stacking spaces for the carwash. The applicant will comply with the stacking requirements.

The proposed convenience store building and car wash bay will be of a masonry vernacular style of architecture. The convenience store incorporates ample glazing along the two streets side of the building. Both buildings comply with the building design regulations.

Special Exception:
A carwash in the CCS-1 zoning district is a Special Exception use that requires the Development Review Commission's (DRC's) review and approval. The DRC is responsible to evaluate the proposed use to ensure compliance with the applicable review criteria as outlined in City Code, with a focus on the potential for adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility. The City's Transportation Planner has requested some changes to the ingress/egress driveways to comply with City and FDOT requirements.

VARIANCE:

Rear Yard Setback

Required:	**20 feet**
Proposed:	**10 feet**
Variance:	**10 feet**

City Code requires a rear yard setback of 20 feet. The applicant is proposing a rear setback of 10 feet. The location of the car wash is to the rear of the site and will not be highly visible from the abutting streets. The property south of the subject property has the same zoning as the subject property and is developed with a commercial use. There is an existing 16-foot alley that runs along the rear of the subject property. The subject property is located within a designated suburban zoning district. Suburban zoning districts typically do not have alleyways. Incorporating the width of the alley and the proposed 10 foot setback, the proposed car wash bay will be 26 feet from the property that is south of the subject property. The distance of 26 feet between the proposed car wash and abutting property meets the intent of the Code. Staff has approved a similar variance to the rear yard setback for a drive-thru restaurant located at 6511 4th Street North. Lastly, the proposed car wash facility is an accessory use to the fuel station.

Public Comments:
No comments or concerns were expressed to the author at the time this report was prepared.

III. RECOMMENDATION:

A. Staff recommends APPROVAL of the following:

1. Variance to the rear yard setback; and

2. **Special Exception and related site plan, subject to the Special Conditions of Approval.**

B. SPECIAL CONDITIONS OF APPROVAL:

1. **Plans shall comply with Section 16.50.050. Car Wash and Detailing, including limiting the hours of operation between 8AM to 8PM.**
2. **Plans shall comply with Section 16.50.165. Gas and Fuel Stations.**
3. **Exterior lighting shall comply with Section 16.40.070.**
3. **Bicycle parking shall comply with Section 16.40.090.4.1.**
4. **Plans shall be revised as necessary to comply with comments provided by the City's Engineering Department, comments are provided in the attached memorandum dated September 13, 2017.**
5. **Plans shall be revised as necessary to comply with comments provided by the City's Transportation and Parking Management Department, comments are provided in the attached emails dated September 14 and 15, 2017.**
6. **The Special Exception and related site plan approval is valid until October 4, 2020. Substantial construction shall commence prior to the expiration date, unless an extension has been approved by the POD. A request for an extension must be received in writing prior to the expiration date.**

C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).

3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).

2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:

a. Water.
b. Sewer (Under normal operating conditions).
c. Sanitation.
d. Parks and recreation.
e. Drainage.

The land use of the subject property is: **Planned Redevelopment Mixed-use**

The land uses of the surrounding properties are:

North: **Planned Redevelopment Mixed-use**

South: **Planned Redevelopment Mixed-use**

East **Planned Redevelopment Mixed-use**

West: **Planned Redevelopment Mixed-use**

REPORT PREPARED BY:

COREY MALYSZKA, Urban Design & Development Coordinator — DATE 9/25/17

REPORT APPROVED BY:

ELIZABETH ABERNETHY, AICP, Zoning Official (POD) — DATE 9-25-17
Planning and Economic Development
Development Review Services Division

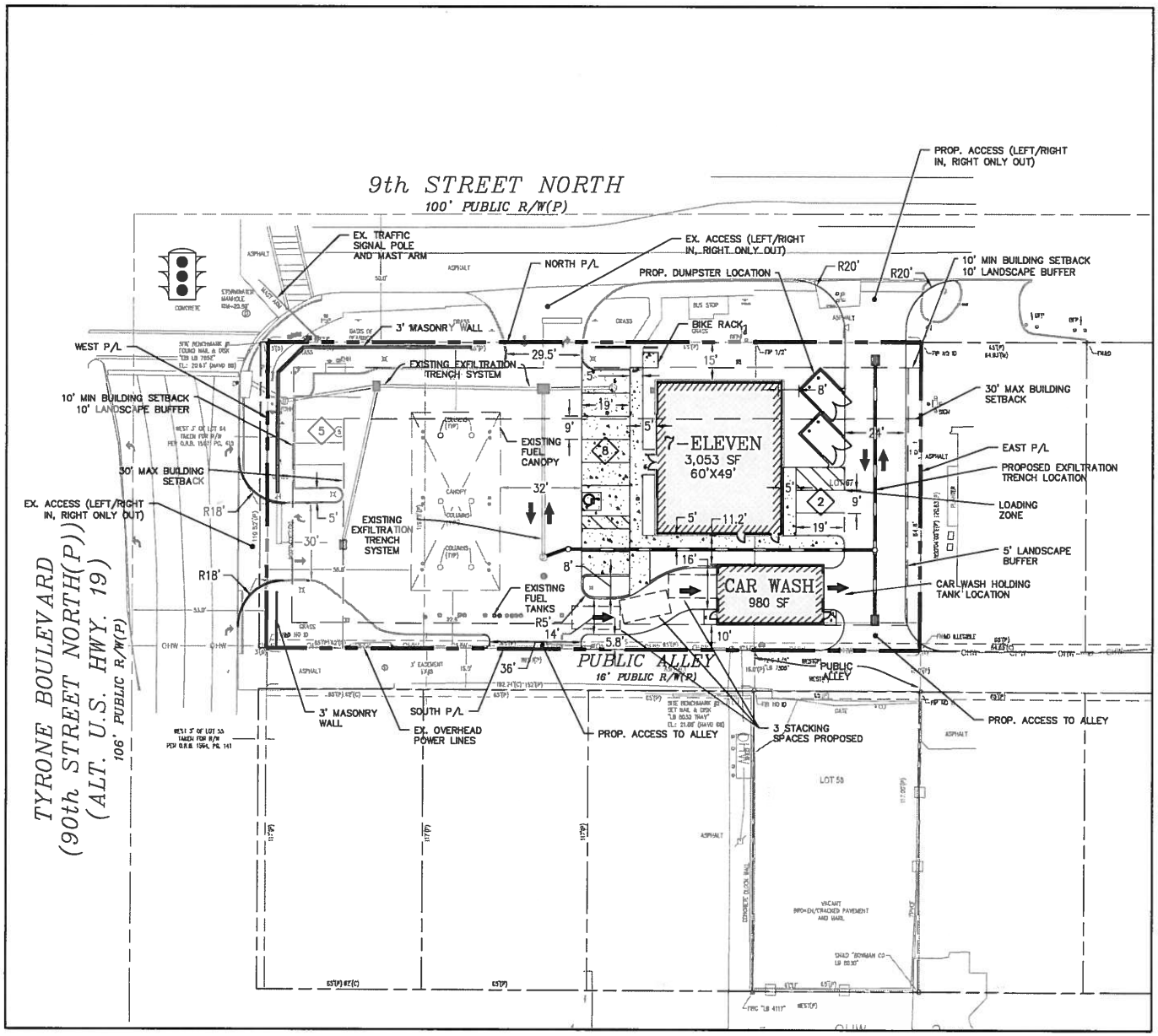
Attachments: Location map, Site plan, Landscape plan, Elevations, Narrative, Engineering Department memo dated September 13, 2017, Transportation email correspondence.

st.petersburg
www.stpete.org

City of St. Petersburg, Florida
Development Review Services
Case No.: 17-32000023
Address: 855 Tyrone Boulevard North

N

(nts)



SITE DATA

PARCEL AREA	0.71 AC (30,831 SF)
PARCEL IDENTIFICATION NUMBER	17-31-16-50382-000-0640, 17-31-16-50382-000-0660
EXISTING ADDRESS	855 TYRONE BLVD ST PETERSBURG, FL 33710
LOCAL JURISDICTION	CITY OF ST. PETERSBURG
ZONING DESIGNATION	CCS-1
FUTURE LAND USE DESIGNATION	PLANNED REDEVELOPMENT MIXED USE
FEMA FLOOD ZONE DESIGNATION	X *
EXISTING USE	GAS STATION
PROPOSED USE	CONVENIENCE STORE AND FUEL PUMPS
PROPOSED BUILDING AREA	3,053 SF
FLOOR AREA RATIO	0.10
BUILDING HEIGHT (1 STORIES, 40 FT MAX.)	40 FT MAX.
IMPERVIOUS AREA	24,150 SF
IMPERVIOUS SURFACE RATIO (0.85 MAX.)	0.78
OPEN SPACE (0.15 MIN.)	0.22 (6,654 SF)
BUILDING SETBACKS REQUIRED (MIN.)	
FRONT (RIGHT-OF-WAY)	10 FT MIN/30 FTMAX
SIDE	10 FT
REAR	20 FT
LANDSCAPE BUFFERS REQUIRED (MIN.):	
FRONT (RIGHT-OF-WAY)	10 FT
SIDE	5 FT
REAR	5 FT
VEHICULAR PARKING SPACES REQUIRED / PROPOSED	15 / 15 **
ADA ACCESSIBLE PARKING SPACES REQUIRED / PROPOSED	1 / 1 ***
MIN. PARKING STALL DIMENSIONS (W x L)	9' x 19' STANDARD, 12' x 19' ADA
CAR WASH STACKING SPACES REQUIRED / PROPOSED	3 / ****
LOADING ZONE REQUIRED / PROPOSED	(1) 9' x 19' / (1) 19 x 19'

NOTES:
* PER FEMA FIRM No. 12103C0214G DATED SEPTEMBER 3, 2003.
** MIN. REQUIRED OFF-STREET PARKING: 1 SPACES / 200 SF GROSS LEASABLE AREA.
*** FOR 1 TO 25 PROVIDED PARKING SPACES, 1 ADA PARKING SPACES ARE REQUIRED.
**** NOTE. VARIANCE FOR STACKING SPACES FROM 5 TO 3 REQUESTED

GRAPHIC SCALE
0 20 40
1 " = 40 '

Bowman
CONSULTING
Certificate of Authorization License No. 30462

Bowman Consulting Group, Ltd.
4450 W. Eau Gallie Blvd
Suite 232
Melbourne, FL 32934
Phone: (321) 255-2334
Fax: (321) 255-7751
www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.

SPECIAL EXCEPTION SITE PLAN
PROPOSED 7-ELEVEN
855 TYRONE BLVD. N.
ST. PETERSBURG, FL 33710
PINELLAS COUNTY, FL

ERIK A. JULIANO, PE
LICENSE
No.68423
STATE OF FLORIDA
PROFESSIONAL ENGINEER

ERIK JULIANO, PE
LICENSE NO. 68423
08/11/2017

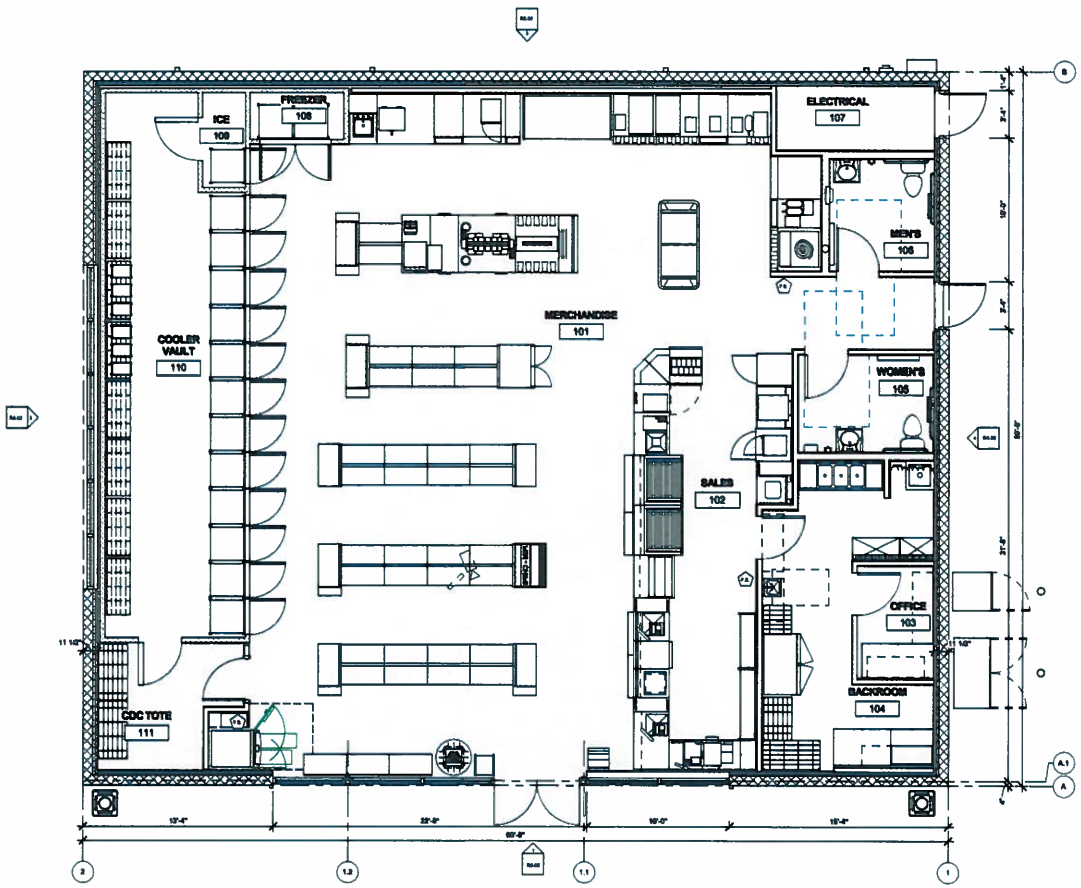
PLAN STATUS

DATE	DESCRIPTION

XXX	XXX	XXX
DESIGN	DRAWN	CHKD

SCALE AS SHOWN
JOB No. XXXX-XX-XXX
DATE August, 2017
FILE
SHEET C1.0

CAD file name: V:\D10083 - 7-Eleven\D10083-02-124 (ENG) - Tyrone Blvd & 9th, St. Petersburg FL\Engineering\Engineering Plans\SPECIAL EXCEPTION PLAN_reciever.dwg, abriello 8/18/2017



1 FLOOR PLAN
R0.01 1/4" = 1'-0"

bates

106 N 37TH STREET, SUITE C
ROGERS, ARKANSAS 72756
WWW.BATESARCHITECTS.COM
TEL: 479.632.8408

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Drawings and Specifications as instruments of service are and shall remain the property of the Architect. They are not to be used or other permitted or assistance to the project except by agreement in writing and with appropriate compensation to the Architect.

Contractor is responsible for confirming and correlating dimensions at job site. The Architect will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the project.

SITE/STORE #:
38284

CONSTRUCTION MANAGER
CREIGHTON CONSTRUCTION & MANAGEMENT, LLC
900 SW PINE ISLAND ROAD, SUITE 202
CAPE CORAL, FL 33991

TENANT
7-ELEVEN INC.
3200 HACKBERRY ROAD IRVING, TX 75063

PROTO:4/27/17

7-ELEVEN STORE
855 TYRONE BOULEVARD NORTH
ST. PETERSBURG, FL 33710

CREIGHTON CONSTRUCTION & MANAGEMENT, LLC
900 SW PINE ISLAND ROAD, SUITE 202
CAPE CORAL, FL 33991

NOT FOR CONSTRUCTION

08/14/17

Architect Name - RYAN M. FAUST
Architect Number - AR 97925

THE SEAL AND SIGNATURE APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED BEFORE DIFFERENT DOCUMENT AND SPECIFICALLY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR REVISED TO BY WHICH THEY ARE NOT AN PART OF THE PROJECT.

REVISIONS

NO.	DATE	DESCRIPTION

PROJECT NUMBER: 17026
RELEASE DATE: 08/14/17

REVIEW BOARD FLOOR PLAN

R0.01

8/14/2017 5:01:01 PM

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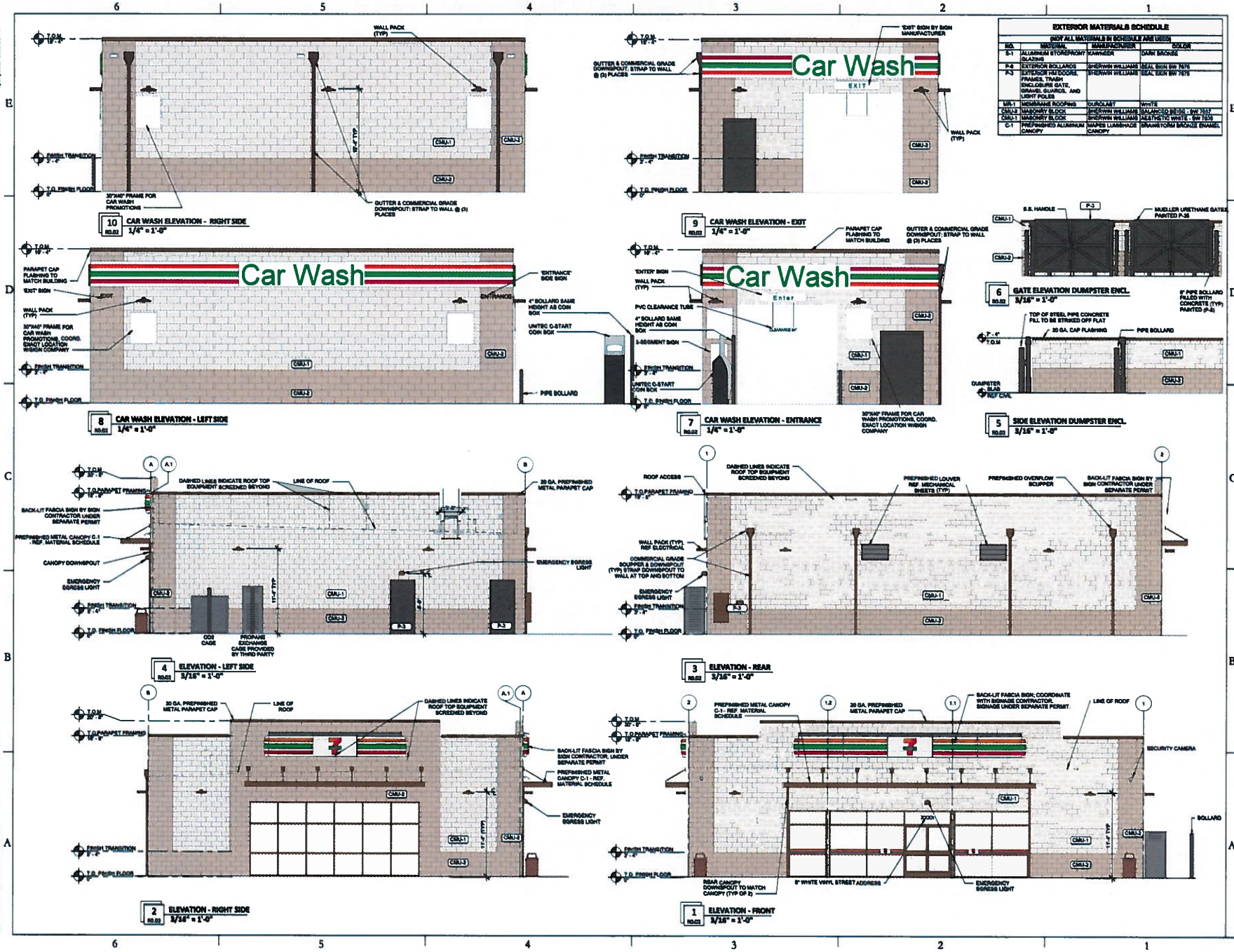


EXTERIOR MATERIALS SCHEDULE

(NOT ALL MATERIALS IN SCHEDULE ARE USED)

NO.	MATERIAL	MANUFACTURER	COLOR
S-1	ALUMINUM STOREFRONT GLAZING	KAWNEER	DARK BRONZE
P-6	EXTERIOR BOLLARDS	SHERWIN WILLIAMS	SEAL SKIN SW 7675
P-3	EXTERIOR HM DOORS, FRAMES, TRASH ENCLOSURE GATE, GRAVEL GUARDS, AND LIGHT POLES	SHERWIN WILLIAMS	SEAL SKIN SW 7675
MR-1	MEMBRANE ROOFING	DUROLAST	WHITE
CMU-2	MASONRY BLOCK	SHERWIN WILLIAMS	BALANCED BEIGE - SW 7037
CMU-1	MASONRY BLOCK	SHERWIN WILLIAMS	AESTHETIC WHITE - SW 7035
C-1	PREFINISHED ALUMINUM CANOPY	MAPES LUMBRADE CANOPY	BRAINSTORM BRONZE ENAMEL

bates

PROTO:4/27/17

7-ELEVEN STORE
855 TYRONE BOULEVARD NORTH
ST. PETERSBURG, FL 33710

CREIGHTON CONSTRUCTION & MANAGEMENT, LLC
500 SW PINE ISLAND ROAD, SUITE 202
CAPE CORAL, FL 33991

NOT FOR CONSTRUCTION

08/14/17

Architect Name - RYAN M. FAUST
Architect Number - AR 97905

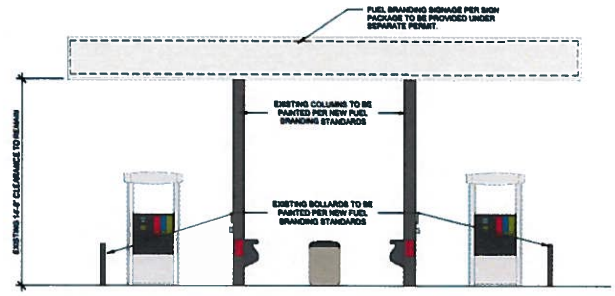
REVISIONS

NO.	DATE	DESCRIPTION

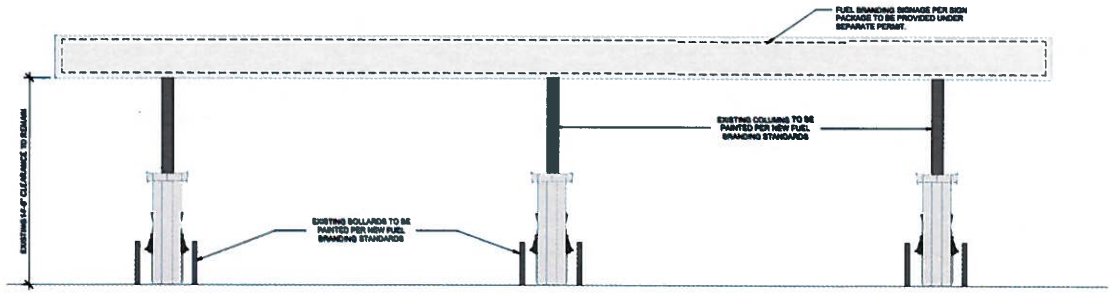
PROJECT NUMBER: 17026
RELEASE DATE: 08/14/17

REVIEW BOARD ELEVATIONS

R0.02



2 R0.03 EXISTING FUELING CANOPY ELEVATIONS 1
1/4" = 1'-0"



1 R0.03 EXISTING FUELING CANOPY ELEVATIONS
1/4" = 1'-0"

bates

186 N 37TH STREET, SUITE C
ROGERS, ARKANSAS 72756
WWW.BATESARCHITECTS.COM
TEL: 479.633.8165

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Contractor is responsible for conforming and reconciling dimensions at job site. Our Architect will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the project.

SITE/STORE #:
36361

CONSTRUCTION MANAGER
CREIGHTON CONSTRUCTION & MANAGEMENT, LLC.
900 SW PINE ISLAND ROAD, SUITE 202
CAPE CORAL, FL 33991

TENANT
7-ELEVEN INC.
3200 HACKBERRY ROAD IRVING, TX 75063

PROTO:4/27/17

7-ELEVEN STORE
855 TYRONE BOULEVARD NORTH
ST. PETERSBURG, FL 33710

CREIGHTON CONSTRUCTION & MANAGEMENT, LLC
900 SW PINE ISLAND ROAD, SUITE 202
CAPE CORAL, FL 33991

NOT FOR CONSTRUCTION

08/14/17

Architect Name - RYAN M. FAUST
Architect Number - AR 97905

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REVISIONS

NO.	DATE	DESCRIPTION

PROJECT NUMBER: 17026
RELEASE DATE: 08/14/17

REVIEW BOARD ELEVATIONS

R0.03

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CITY OF ST. PETERSBURG
MEMORANDUM
ENGINEERING DEPARTMENT

TO: Corey Malyszka, Development Services Department

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: September 13, 2017

SUBJECT: Special Exception

FILE: 17-32000023

LOCATION: 855 Tyrone Boulevard North
AND PIN: 17/31/16/50382/000/0640
ATLAS: O-6
PROJECT: Special Exception

REQUEST: Approval of a Special Exception and related Site Plan to add a carwash at an existing fuel station with a Variance to stacking of cars at entrance.

The Engineering Department no objection to the proposed special exception and related site plan with the following special conditions and standard comments:

SPECIAL CONDITIONS:

1. The segment of Tyrone Blvd. (59th Street North) adjacent to the western boundary of this site is controlled by FDOT. The applicant is responsible to obtain any necessary approvals/permits/exemptions from FDOT as may be applicable for all possible impacts to the FDOT right of way (drainage modifications, sidewalk construction, etc.).

2. Tyrone Blvd is an arterial roadway. FAC Rule Chapter 14-97 requires that access connections to a street adjacent to an intersection with an arterial roadway be located at least 125-feet from the intersection. The developer's Engineer of Record must provide evidence of contact with the FDOT to determine if a new permit application and/or modification of existing connections will be required.

3. All existing redundant (abandoned) driveway approaches or drop curbing which exist within the public right-of-way around the perimeter of this project development shall be removed. Pavement surfaces associated with these approaches shall be completely removed from within the right-of-way and any existing drop curbing shall be removed and replaced with a raised curb to match existing curb type per current City Engineering Standards and Specifications.

4. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Within the CCS zoning district a 6-foot wide sidewalk is required on the eastern parkway of Tyrone Blvd. (59th Street North) and a 6-foot wide sidewalk is required in the southern parkway of 9th Avenue North. Existing sidewalks must be removed and replaced to meet the stated width criteria.

5. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred)

at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements if they do not already exist. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

6. The construction proposed on this site will trigger compliance with the City's Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. **Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1 hour design storm.

7. Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least one foot above the FEMA elevation. Habitable floor elevations for projects subject to compliance with the Florida Building Code, Residential, shall be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

8. Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City's Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

9. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

10. Submit a completed Stormwater Management Utility Data Form to the City Engineering Department with the redevelopment permit application. This form is available upon request via email to Martha.Hegenbarth@stpete.org.

STANDARD COMMENTS: Water service is available to the site. The applicant's Engineer shall coordinate potable water and /or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer's responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

NED/MJR/meh
pc: Kelly Donnelly
Reading File
Correspondence File
Subdivision File: TANGERINE TERRACE

Corey D. Malyszka

From: Kyle Simpson
Sent: Thursday, September 14, 2017 1:34 PM
To: Corey D. Malyszka
Cc: Thomas M Whalen; Michael J. Frederick
Subject: RE: Comments due 9/15 - Case No. 17-32000023 - 855 Tyrone Blvd N

Transportation and Parking Management has reviewed the case and has the following comments:

- The applicant must provide short and long-term bicycle parking spaces (minimum of two each) in accordance with the spacing and security requirements outlined in City Code 16.40.090.4. - Bicycle parking.
- Tyrone Blvd is a State Road, managed by the Florida Department of Transportation (FDOT). Transportation and Parking Management provided the application to FDOT District 7 for review. FDOT had the following comments on the case:
    - The Right in/Right-out access on ALT. U.S. HWY 19 would not be allowed, it is non-compliant for distance to the intersection and is in a right turn lane, it also poses some safety issues with exiting traffic trying to go west bound crossing the turn lane, two lanes of thru traffic to get into the left turn lane. Under these conditions we would only allow a right in driveway.
    - The department wants the alley connection to Alt 19 upgraded with the increase in use by the carwash. We would prefer a single access point along Alt us 19.
    - Please inform the 7-11 to contact the Pinellas Operations Center for permitting and a pre app meeting request.

Kyle Simpson
Planner I, Transportation and Parking Management
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
(727) 893-7151
Kyle.Simpson@stpete.org
Your Sunshine City

From: Pamela Jones
Sent: Thursday, August 31, 2017 1:30 PM
To: Alfred Wendler <Alfred.Wendler@stpete.org>; Bruce E. Grimes <Bruce.Grimes@stpete.org>; Jill S. Wells <Jill.Wells@stpete.org>; Kelly A. Donnelly <Kelly.Donnelly@stpete.org>; Kirsten J. Corcoran <Kirsten.Corcoran@stpete.org>; Kyle Simpson <Kyle.Simpson@stpete.org>; Mark Riedmueller <Mark.Riedmueller@stpete.org>; Martha Hegenbarth <Martha.Hegenbarth@stpete.org>; Michael J. Frederick <Michael.Frederick@stpete.org>; Nancy Davis <Nancy.Davis@stpete.org>; Richard F Kowalczyk <Richard.Kowalczyk@stpete.org>; Thomas M Whalen <Tom.Whalen@stpete.org>
Cc: Corey D. Malyszka <Corey.Malyszka@stpete.org>
Subject: Comments due 9/15 - Case No. 17-32000023 - 855 Tyrone Blvd N

Good afternoon,
Would you all please review the attached and kindly return your comments to Corey Malyszka by September 15th, as my last day with the City will be on September 8th.

The applicant is seeking approval of a Special Exception and related Site Plan to add a carwash at an existing fuel station with a variance to setbacks.

Thank you,

Pamela Jones
Administrative Clerk, Development Review Services
City of St. Petersburg
One 4th Street North, PO Box 2842
St. Petersburg, FL 33731-2842
Office (727) 892-5498/Fax (727) 892-5557
Pamela.Jones@stpete.org

Corey D. Malyszka

From: Thomas M Whalen
Sent: Friday, September 15, 2017 3:33 PM
To: Kyle Simpson; Corey D. Malyszka
Cc: Michael J. Frederick
Subject: RE: Comments due 9/15 - Case No. 17-32000023 - 855 Tyrone Blvd N

We have an additional comment. A triangular island and signage that only permits right-in/right-out turning movements should be installed at the driveway on 9th Avenue North that is closest to Tyrone Boulevard.

Tom Whalen, AICP CTP
Planner III, Transportation and Parking Management
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
727-893-7883 / Fax: 727-551-3326
Tom.Whalen@stpete.org

From: Kyle Simpson
Sent: Thursday, September 14, 2017 1:34 PM
To: Corey D. Malyszka
Cc: Thomas M Whalen; Michael J. Frederick
Subject: RE: Comments due 9/15 - Case No. 17-32000023 - 855 Tyrone Blvd N

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    - The department wants the alley connection to Alt 19 upgraded with the increase in use by the carwash. We would prefer a single access point along Alt us 19.
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Kyle Simpson
Planner I, Transportation and Parking Management
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
(727) 893-7151
Kyle.Simpson@stpete.org
Your Sunshine City

Corey D. Malyszka

From: Abul Bhuiyan <abul_bhuiyan@hotmail.com>
Sent: Sunday, September 24, 2017 12:51 PM
To: Corey D. Malyszka

Dear Corey,

In response to your notice of Public Hearing for the property located at 855 Tyrone Blvd. St. Petersburg, FL 33710 for opening a 7 Eleven Store which we are strongly object due to the following reasons:-

First. We are oldest and only retail business in this area and always serve our fellow customer with 100% satisfaction and low margin profit. Initially, in 2010 you allowed to open one smoke shop in Win-dixie shopping plaza which they selling everything as we sold in same location which make us lose our business dramatically.

Second:- A few years we working hard with our customer we are cover few loss but you approved open a Gas Station within 200 feet which make us another competition and we lose our business nearly 25%.

Third:- Now the City approved to open a WAWA store in same location (Not open yet) which will open in November,2017.

Forth:- If you approve another 7 eleven store in same area which means we have to close our business, but we invested nearly lone million for the same location for property and business.

Therefore, we are strongly oppose your action for allow to open the 7 eleven in same area. The City should consider the small business and convenience store stability not to help big corporation to drive independent owner out forever. We are going to lose business and lose property value subsequently.

Thanks you for understanding.

Yours Sincerely,

R & L Food of Pinellas Inc,
DBA Quick Pick,
800 58th Street North,
St. Petersburg, FL 33710
Phone 727-458-0939

st.petersburg
www.stpete.org

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

DEVELOPMENT REVIEW COMMISSION
STAFF REPORT

SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Economic Development Department records, **no Commission member** 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **October 4, 2017, at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.:	17-32000024	PLAT SHEET:	K-22
REQUEST:	Approval of a Special Exception to convert an existing Post Office into a motor vehicle repair shop.		
OWNER:	Mainstream America, Inc. PO Box 531 Saint Petersburg, Florida 33731-0531		
ADDRESS:	4033 35th Street North		
PARCEL ID NO.:	03-31-16-00000-440-0120		
LEGAL DESCRIPTION:	On File		
ZONING:	Industrial Suburban (IS)		
SITE AREA TOTAL:	136,778 square feet or 3.14 acres		
GROSS FLOOR AREA:			
Existing:	24,746 square feet	0.18 F.A.R.	
Proposed:	24,746 square feet	0.18 F.A.R.	
Permitted:	88,905 square feet	0.65 F.A.R.	
BUILDING COVERAGE:			
Existing:	24,746 square feet	18% of Site MOL	
Proposed:	24,746 square feet	18% of Site MOL	
Permitted:	N/A		

IMPERVIOUS SURFACE:

Existing:	110,030 square feet	80% of Site MOL
Proposed:	110,030 square feet	80% of Site MOL
Permitted:	160,915 square feet	85% of Site MOL

OPEN GREEN SPACE:

Existing:	26,748 square feet	20% of Site MOL
Proposed:	26,748 square feet	20% of Site MOL

PAVING COVERAGE:

Existing:	81,700 square feet	60% of Site MOL
Proposed:	81,700 square feet	60% of Site MOL

PARKING:

Existing:	173; including 6 handicapped spaces
Proposed:	173; including 6 handicapped spaces
Required	124; including 5 handicapped spaces

BUILDING HEIGHT:

Existing:	27 feet
Proposed:	27 feet
Permitted:	50 feet

APPLICATION REVIEW:

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a motor vehicle service and repair use which is a Special Exception use within the IS Zoning District.

II. **DISCUSSION AND RECOMMENDATIONS:**

The Request:
The applicant seeks approval of a Special Exception to convert an existing Post Office into a motor vehicle service and repair use. The subject property is located south of the CSX Railroad in-between 34th and 35th Streets North.

Current Proposal:
The subject property is developed with a 24,746 square foot building that was formerly a Post Office distribution center. The applicant proposes to convert the building into a motor vehicle service and repair use. The applicant is not proposing any changes to the existing site.

Special Exception
The proposed use, as mentioned above, is a Special Exception use in the IS zoning district. The DRC is required to review the project for any possible adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility. The subject property has been developed with industrial uses and surrounding uses are substantially similar. The City's Transportation Planner has reviewed the proposal and determined that the existing road network is adequate to support the proposed use. The properties that surround the subject property are also

developed with industrial and commercial uses. Staff finds that the proposed use complies with the Special Exception criteria as outlined in Section 16.70.040.1.5.

Public Comments:
No comments or concerns were expressed to the author at the time this report was prepared.

III. RECOMMENDATION:

A. Staff recommends APPROVAL of a Special Exception, subject to the Special Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:

1. **The applicant shall comply with the use specific criteria for a motor vehicle service and repair use, as outlined is Section 16.50.220.**
2. **The applicant is encouraged to provide long-term bike parking.**
3. **The plans submitted for permitting shall comply with the memorandum from The City's Engineering Department that is dated September 18, 2017, and attached to this report.**

C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).

2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:

a. Water.
b. Sewer (Under normal operating conditions).
c. Sanitation.
d. Parks and recreation.
e. Drainage.

The land use of the subject property is: **Industrial Limited**

The land uses of the surrounding properties are:

North:	**County**
South:	**Industrial General**
East	**County**
West:	**Industrial Limited**

REPORT PREPARED BY:

Corey Malyszka 9/25/17

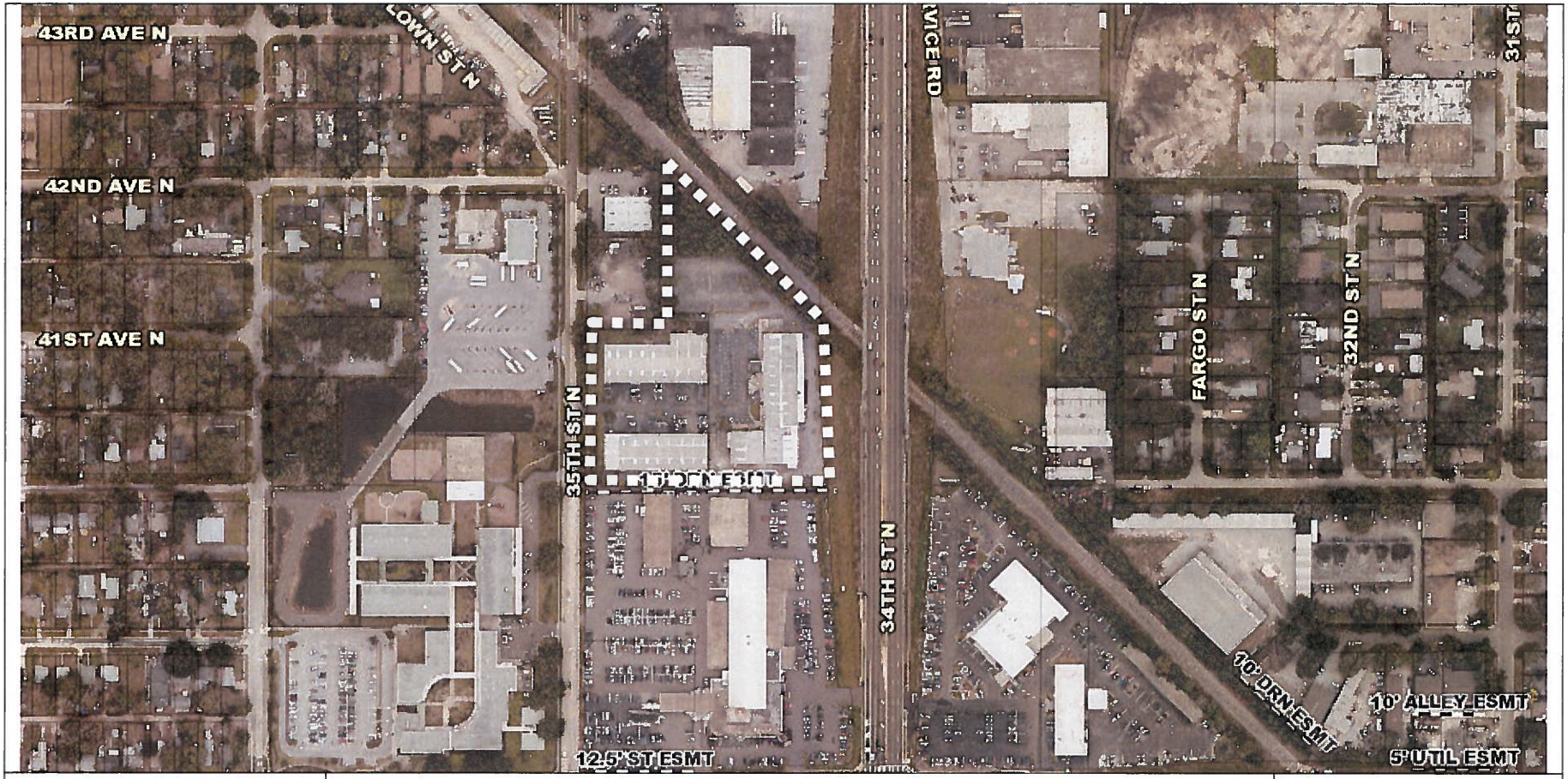
COREY MALYSZKA, Urban Design and Development Coordinator DATE

REPORT APPROVED BY:

Elizabeth Abernethy 9-25-17

ELIZABETH ABERNETHY, AICP, Zoning Official (POD) DATE
Planning and Economic Development
Development Review Services Division

Attachments: Location map, Site plan, narrative, Engineering Department Memo dated September 18, 2017, Transportation Department correspondence.

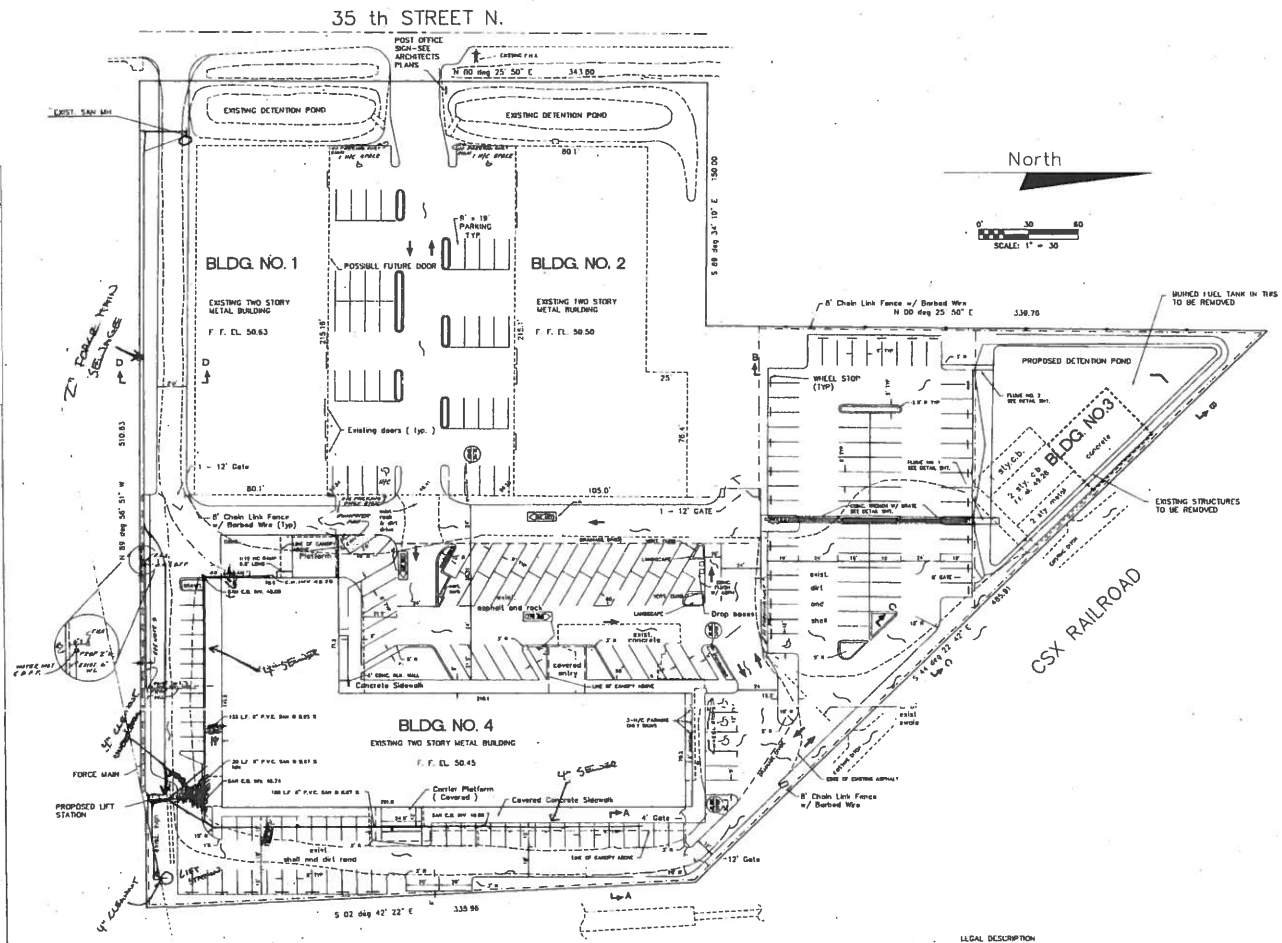


st.petersburg
www.stpete.org

City of St. Petersburg, Florida
Development Review Services
Case No.: 17-32000024
Address: 4033 35th Street North

N

(nts)



SITE DATA

EXISTING USE
WAREHOUSE AND LIGHT MANUFACTURING

PROPOSED USE
POST OFFICE AND LIGHT MANUFACTURING

SITE AREA
228908 S.F. = 5.225 AC.

AREA TABULATIONS

	EXISTING CONDITIONS	PROPOSED CONDITIONS
GROSS FLOOR AREA IN SQUARE FEET		
BLDG. NO. 1	17238 S.F.	17238 S.F.
BLDG. NO. 2	19140 S.F.	19140 S.F.
BLDG. NO. 3	1152 S.F.	TO BE REMOVED
BLDG. NO. 4	24748 S.F.	24748 S.F.
BUILDING COVERAGE IN SQUARE FEET		
FLOOR AREA = BUILDING COVERAGE FOR BUILDINGS 1 AND 2		
BLDG NO 3 TO BE REMOVED		
BLDG NO 4	27858 S.F.	28330 S.F.
OPEN SPACE IN SQUARE FEET		
GROSS AREA	87330 S.F.	74352 S.F.
INTERIOR AREA	BOUNDARY S.F.	BOUNDARY S.F.
PAVEMENT AREA IN SQUARE FEET		
ASPHALT PAVEMENT	43315 S.F.	88348 S.F.
CONCRETE	3420 S.F.	1500 S.F.
SHELL BASE	19933 S.F	0 S.F.
TOTALS	86570 S.F.	89848 S.F.

PARKING TABULATIONS

PARKING REQUIRED
MANUFACTURING USE: 1/1000 S.F.
36,378 S.F. = 37 SPACES

PUBLIC USE: 1/400 S.F.
27,858 S.F. = 70 SPACES

PARKING PROVIDED
MANUFACTURING USE: 38 SPACES
PUBLIC USE 118 SPACES
CARRIER SPACES: 54 SPACES
211 SPACES TOTAL

GENERAL NOTES:

1. BOUNDARY, LEGAL AND TOPO INFORMATION TAEN FROM SURVEY BY SUNCOAST LAND SURVEYING, INC. DATED 8/25/87.
2. SITE CONTRACTOR TO COORDINATE WITH MECHANICAL CONTRACTOR FOR SANITARY, WATER AND ROOF DRAIN CONNECTIONS.
3. DEMOLITION NOTES.
   A. CONTRACTOR TO LOCATE AND ABANDON EXISNG SEPTIC TANK PER STATE OF FLORIDA HEALTH DEPT. REGULATIONS.
   B. CONTRACTOR TO LOCATE AND REMOVE EXISTN BURIED TANK NEAR NORTH END OF SITE ACCORDING TO ALL LOCAL, STATE AND FEDERAL REGULATIONS.
   C. CONTRACTOR TO REMOVE EXISTING TRUCK SCAL
   D. CONTRACTOR TO REMOVE ALL EXISTING ELEVATO TANKS AND ASSOCIATED STRUCTURES ALONG WITH THE EXISTING BUILDING AT THE NORTH END OF THE SITE.
4. NO CONSTRUCTION TO BEGIN UNTIL ALL PERMITS E IN HAND
5. MINIMUM SEPERATION BETWEEN PROPOSED FORCE MAIN AND EXISTING WATER LINE TO BE 10'.

LEGAL DESCRIPTION

All that portion of land located and lying in the southeast 1/4 of the southeast 1/4 of Section 3, Township 31 South, Range 16 East, Pinellas County, Florida, and being more particularly described as follows:

From the Southeast corner of Section 3, Township 31 South, Range 16 East, Pinellas County, Florida, as a point of reference; thence N 00 deg. 22'20" E. along the east line of the Southeast 1/4 of said section 3, 884.80 feet to the 10 acre corner; thence N89 deg. 56'51" W. along said 10 acre line 123.48 feet for a point of beginning; thence continue N89 deg. 56'51" W. along said line 510.83 feet to a point on the east right-of-way line of 35th Street North (a 80 foot right-of-way); Thence N 00 deg. 25'50" E. along said right-of-way line 341.80 feet; Thence leaving said line, S89 deg. 34'10" E 150.00 feet; Thence N 00 deg 25'50"E 330.78 feet to a point on the southwesterly right-of-way line of the CSX Railroad (a 100 foot right-of-way); Thence S44 deg. 27'42"E, along said right-of-way line 485.91 feet to its intersection with the westerly right-of-way line of U.S. Highway North 19 (S.R. 55), Thence S 00 deg. 42'22"E, along said right-of-way line 335.98 feet to the point of beginning.

Containing 5.255 acres more or less.

DESIGN EO
DATE 12-87
DRAWN EO
DATE 12-87
CHECKED PB
DATE 12-87
PROJECT NO. 5703
SCALE 1" = 30'

UNITED STATES POSTAL SERVICE

TAMPA FACILITIES SERVICE OFFICE
5511 EXECUTIVE DRIVE
TAMPA, FLORIDA 33609

Pinellas Realty Fund II
General Partnership
163 First Avenue North
St. Petersburg, FL 33731-429

TAMPA BAY ENGINEERING, INC.
Civil and Transportation Engineers/Planners
2340 Bahner Road - Suite 200
Clearwater, FL 34624 (813) 539-0858

ST. PETERSBURG CENTRAL
POST OFFICE STATION

LAYOUT AND UTILITIES

2
OF 5

CITY OF ST. PETERSBURG
MEMORANDUM
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services Department

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: September 18, 2017

SUBJECT: Special Exception

FILE: 17-32000024

LOCATION: 4033 35th Street North
AND PIN: 03/31/16/00000/440/0120
03/31/16/00000/440/0100
ATLAS: K-22
PROJECT: Special Exception

REQUEST: Approval of a Special Exception to convert an existing Post Office into a motor vehicle repair shop.

The Engineering Department has no objection to the proposed special exception and related site plan for interior renovation associated with a change of use with no proposed site modification. Please refer to the following standard comments:

STANDARD COMMENTS: Water service is available to the site. The applicant's Engineer shall coordinate potable water and /or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources

department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City's Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

The scope of this project will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1 hour design storm.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least one foot above the FEMA elevation. Habitable floor elevations for projects subject to compliance with the Florida Building Code, Residential, shall be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer's responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

NED/MJR/meh
pc: Kelly Donnelly
Reading File
Correspondence File
Subdivision File: TANGERINE TERRACE

Pamela Jones

From: Kyle Simpson
Sent: Tuesday, September 05, 2017 9:32 AM
To: Pamela Jones; Corey D. Malyszka
Cc: Thomas M Whalen; Michael J. Frederick
Subject: RE: Comments requested by 9/15 - Case No. 17-32000024 - 4033 35th Street North

In accordance with Code 16.40.090.4. - Bicycle parking, the applicant is required to provide bicycle parking with the change of use. Since the applicant has indicated that the facility will not serve the public, the manufacturing use category may be used, which requires no short-term bicycle parking and a minimum of two long-term bicycle parking spaces.

Kyle Simpson
Planner I, Transportation and Parking Management
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
(727) 893-7151
Kyle.Simpson@stpete.org
Your Sunshine City

From: Pamela Jones
Sent: Friday, September 01, 2017 11:36 AM
To: Alfred Wendler <Alfred.Wendler@stpete.org>; Bruce E. Grimes <Bruce.Grimes@stpete.org>; Jill S. Wells <Jill.Wells@stpete.org>; Kelly A. Donnelly <Kelly.Donnelly@stpete.org>; Kirsten J. Corcoran <Kirsten.Corcoran@stpete.org>; Kyle Simpson <Kyle.Simpson@stpete.org>; Mark Riedmueller <Mark.Riedmueller@stpete.org>; Martha Hegenbarth <Martha.Hegenbarth@stpete.org>; Michael J. Frederick <Michael.Frederick@stpete.org>; Nancy Davis <Nancy.Davis@stpete.org>; Richard F Kowalczyk <Richard.Kowalczyk@stpete.org>; Thomas M Whalen <Tom.Whalen@stpete.org>
Cc: Corey D. Malyszka <Corey.Malyszka@stpete.org>
Subject: Comments requested by 9/15 - Case No. 17-32000024 - 4033 35th Street North

Good morning,
Would you all please review the attached and return your comments directly to Corey by September 15th. The applicant is requesting a Special Exception to convert an existing Post Office into a motor vehicle repair shop.

Thank you,

Pamela Jones
Administrative Clerk, Development Review Services
City of St. Petersburg
One 4th Street North, PO Box 2842
St. Petersburg, FL 33731-2842
Office (727) 892-5498/Fax (727) 892-5557
Pamela.Jones@stpete.org

Mainstream America

From: Mainstream America <mainstreamamerica@tampabay.rr.com>
Sent: Tuesday, August 29, 2017 12:48 PM
To: 'dhcastpete@gmail.com'
Subject: Petersburg Commerce Center - Auto Collision Center
Attachments: mamerica@tampabay.rr.com_20170829_121617.pdf

Hi Jennifer,

As we discussed by phone today, my company owns a small industrial park at 4033-4055 35th Street N, just north of Bert Smith Automotive's lot and body shop. We have a prospective tenant for the old Post Office building on our site that is a national Auto Collision Center. They are not open to the public and strictly work for insurance companies doing body work and repair for them under contract. No demolition or exterior reconstruction will be done and the existing building footprint will not change.

Because our property is zoned Industrial Suburban, we are required by the City of St Petersburg to file for a Special Exception in order to allow this particular tenant use. As part of the application, we must notify the affected neighborhood association of our request and gather any comments, questions or suggestions the neighborhood may have.

To that end, we would very much appreciate it if you would circulate this request within your neighborhood email group and advise us of any feedback you may get from your membership. Our deadline from the city is this Friday, September 1st. The Development Review Commission hearing on our request will be Tuesday, October 3rd, at 2pm in City Hall, Council Chambers, 175 5th Street N. A copy of the page from the application we must complete is attached for your reference.

Thanks very much for your help!

Cathy Wilson
Mainstream America, Inc.
P O Box 531
St Petersburg, FL 33731
Phone: (727) 898-0015
Fax: (727) 897-9579
Email: mainstreamamerica@tampabay.rr.com