



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

STAFF REPORT
DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST
PUBLIC HEARING

For **Public Hearing and Executive Action** on **January 9, 2019** beginning at 2:00 P.M.,
 Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & 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.: 18-54000088 **PLAT SHEET:** F-20

REQUEST: Approval of a variance to the required minimum lot width from 50-feet to 45-feet and the minimum lot area from 5,800 square feet to 5,715 square feet for two (2) lots in common ownership to allow for the development of two (2) new single-family residences.

OWNER: **475 36th Avenue N Land Trust**
 405 6th Street S, Suite 102
 St Petersburg, Florida 33701

AGENT: Max Schwartz
 4309 W. Kennedy Blvd, Suite 600
 Tampa, Florida 33609

ADDRESS: 475 36th Avenue

PARCEL ID NO.: 07-31-17-11376-003-0190

LEGAL DESCRIPTON: On File

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

| Structure | Required | Requested | Variance | Magnitude |
|-----------|------------|------------|----------|-----------|
| Lot Area | 5,800 s.f. | 5,715 s.f. | 85 s.f. | 1.5% |
| Lot Width | 50 ft. | 45 ft. | 5 ft. | 10% |

BACKGROUND: The application includes two platted lots of record under common ownership, Lots 19 and 20 of Block C Bridgeway Addition Subdivision, located within the Allendale Terrace Neighborhood, west of 4th Street N and directly south of Publix grocery store (See Exhibit A). The applicant is requesting a lot split with variances from the minimum lot area and lot width standards of the Neighborhood Traditional (NT-2) zoning district for each lot in order to allow one new single-family unit on each lot (Exhibit B). A 750 s.f. house was moved to Lot 19 in 1940. The house has been vacant for several years and has collected 30 code violations (See Exhibit C). Lot 20 remains vacant of development.

The subject property is zoned NT-2. The minimum lot width in the NT-2 district is 50-feet, and minimum lot area is 5,800 square feet (s.f.). The subject lots are 45-feet in width and 5,715 s.f. in area and, therefore, are non-conforming to width and area requirements for the NT-2 district and considered to be substandard lots requiring a variance.

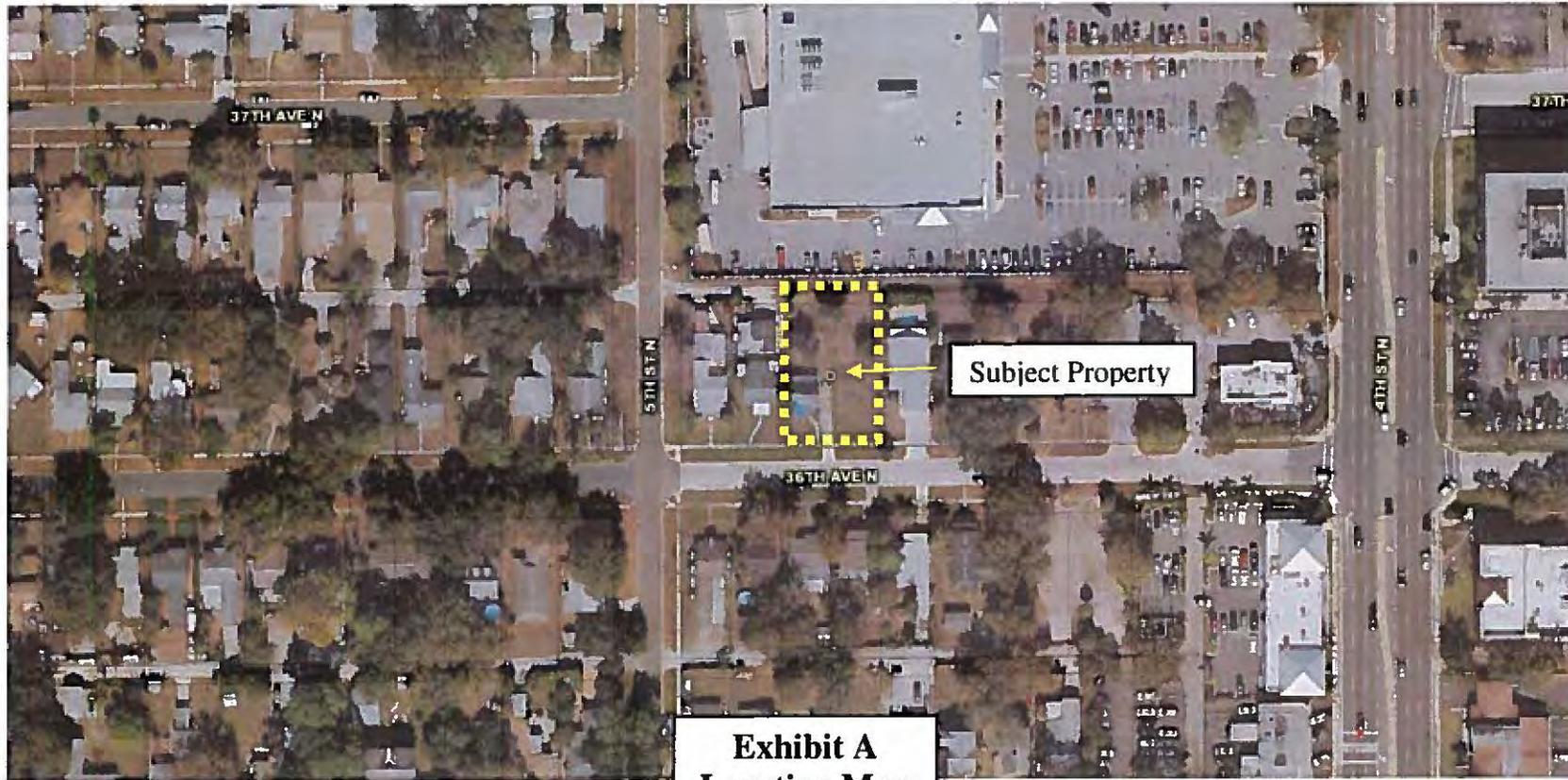
The Bridgeway Addition Subdivision extends from the north side of 34th Avenue N to 38th Avenue N and from 4th Street N to 7th Street N. Within this subdivision 148 lots are zoned NT-2 and of these, 116 lots were originally platted with 45-feet in width (78%). The other 32 lots were platted with 50-foot widths (22%) and are located at the ends of the blocks. However, today several lots have consolidated and there are 129 lots in total with 45 lots having lot widths at 50-foot or larger due to consolidation, leaving 84 lots with 45-foot widths (65%). Exhibit D shows the original subdivision and Exhibit E shows the current residential lots within the subdivision.

Restrictions in the City Code were in place from 1973 through 2003 limiting development on nonconforming lots in common ownership. The land development code was changed in 2003 allowing development on any platted lot of record. On September 17, 2015, City Council amended the non-conforming lot regulations, eliminating the right to build on these substandard lots without first obtaining a variance. During the review of these regulations in 2015 the City Council made the decision to change the land development regulations back to restrict development on substandard lots, while also making clear the intent of the variance review is to determine whether such development would be consistent with the surrounding neighborhood pattern. 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 one single-family unit on more than one platted lot could be detrimental to the neighbors and overall character of the neighborhood.

A similar lot was split at 524 36th Ave N in September 6, 2017, Case # 17-54000045, where 2 lots were under common ownership and were split. The DRC approved this with a unanimous vote.

CONSISTENCY REVIEW COMMENTS: The Planning & Development Services Department staff reviewed this application in the context of the following variance 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:

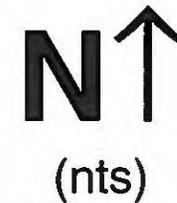
1. *Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following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

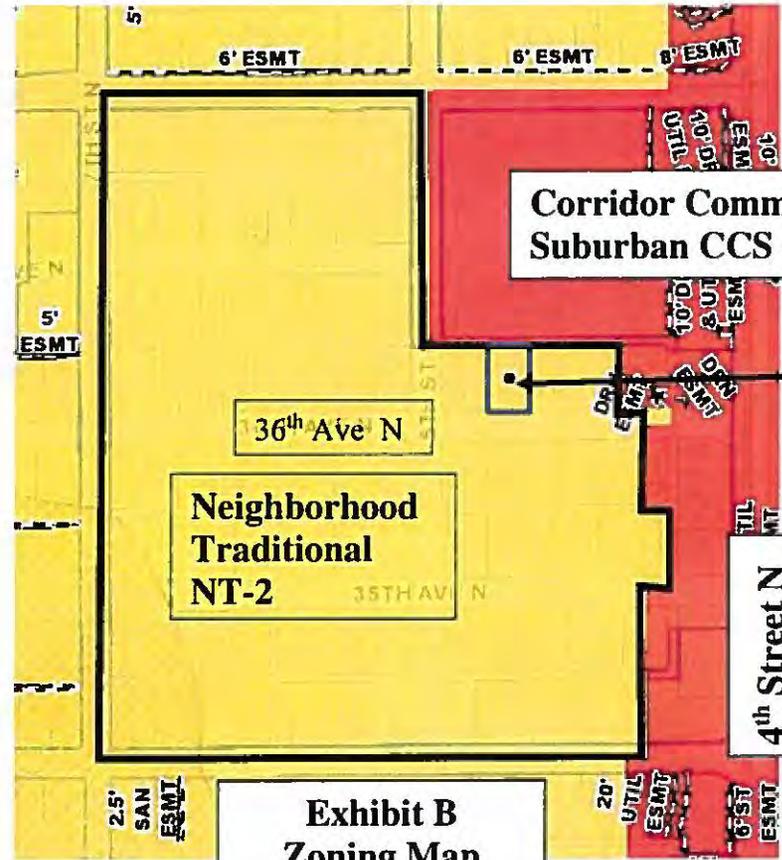


**Exhibit A
Location Map**



City of St. Petersburg, Florida
Planning & Economic Development
Department
Case No.: 18-54000088
Address: 475 36th Avenue N





**Exhibit B
Zoning Map**

**Subject Property
475 36th Ave N**



City of St. Petersburg, Florida
 Planning & Economic Development Department
 Case No.: 18-54000088
 Address: 475 36th Avenue N



Exhibit C Code Violations

Parcel Identification Nbr: 07/31/17/11376/003/0190/
19053590

| Number | Status | Date | Insp | Description |
|-------------|--------------|----------|------|--------------------------------|
| 18 00029041 | CASE CLOSED | 10/31/18 | TLM | CIVIL CITATION- INOP MOTOR VEH |
| 18 00027549 | CASE CLOSED | 10/16/18 | oss | SEARCH FOR ACTIVE VIOLATIONS |
| 18 00025662 | CASE CLOSED | 9/25/18 | TLM | CIVIL CITATION - DOM. EQ |
| 17 00003752 | CASE CLOSED | 2/15/17 | MN | PROPERTY MAINTENANCE |
| 14 00020865 | CASE CLOSED | 10/02/14 | ERH | PROPERTY MAINTENANCE |
| 10 00024804 | CASE CLOSED | 12/22/10 | ERH | PROPERTY MAINTENANCE |
| 04 00021384 | CASE CLOSED | 10/06/04 | IF | PROPERTY MAINTENANCE |
| 03 00007065 | CASE CLOSED | 4/14/03 | RSH | OVERGROWTH |
| 02 00013271 | CASE CLOSED | 6/24/02 | RSH | OVERGROWTH |
| 01 00012429 | CASE CLOSED | 7/11/01 | RSH | OVERGROWTH |
| 00 00011929 | CASE CLOSED | 7/13/00 | RSH | OVERGROWTH |
| 00 00005575 | CASE CLOSED | 3/31/00 | RSH | OVERGROWTH |
| 99 00023503 | CASE CLOSED | 10/18/99 | WB | OVERGROWTH |
| 99 00019427 | CASE CLOSED | 8/27/99 | WB | OVERGROWTH |
| 99 00018099 | CASE CLOSED | 5/10/99 | WB | OVERGROWTH |
| 99 00002794 | INVALID COMP | 2/05/99 | DMP | PROPERTY MAINTENANCE |
| 99 00002792 | CASE CLOSED | 2/05/99 | WB | OVERGROWTH |
| 98 00009310 | CASE CLOSED | 4/22/98 | WB | OVERGROWTH |
| 98 00009309 | CASE CLOSED | 4/22/98 | DMP | PROPERTY MAINTENANCE |
| 97 00031572 | CASE CLOSED | 11/17/97 | DMP | OVERGROWTH |
| 97 00029605 | INVALID COMP | 10/17/97 | DMP | OVERGROWTH |
| 97 00022063 | CASE CLOSED | 8/05/97 | DMP | OVERGROWTH |
| 96 00031270 | CASE CLOSED | 10/16/96 | ET | PROPERTY MAINTENANCE |
| 96 00030938 | CASE CLOSED | 11/07/96 | ET | APPROVED PARKING |
| 95 00015328 | CASE CLOSED | 5/16/95 | ET | PROPERTY MAINTENANCE |
| 94 00012562 | CASE CLOSED | 7/07/94 | TH | PROPERTY MAINTENANCE |
| 94 00005065 | CASE CLOSED | 3/16/94 | TH | OVERGROWTH |
| 93 00008895 | CASE CLOSED | 5/13/93 | RSH | OVERGROWTH |
| 92 00004981 | CASE CLOSED | 5/26/92 | RSH | OVERGROWTH |
| 92 00002679 | CASE CLOSED | 4/21/92 | CDC | PROPERTY MAINTENANCE |



City of St. Petersburg, Florida
 Planning & Economic Development Department
 Case No.: 18-54000088
 Address: 475 36th Avenue N

N ↑
(nts)



475 36th Avenue N
Lots 19 and 20

Exhibit D
Original Bridgeway Subdivision



City of St. Petersburg, Florida
 Planning & Economic Development Department
 Case No.: 18-54000088
 Address: 475 36th Avenue N

N ↑
(nts)

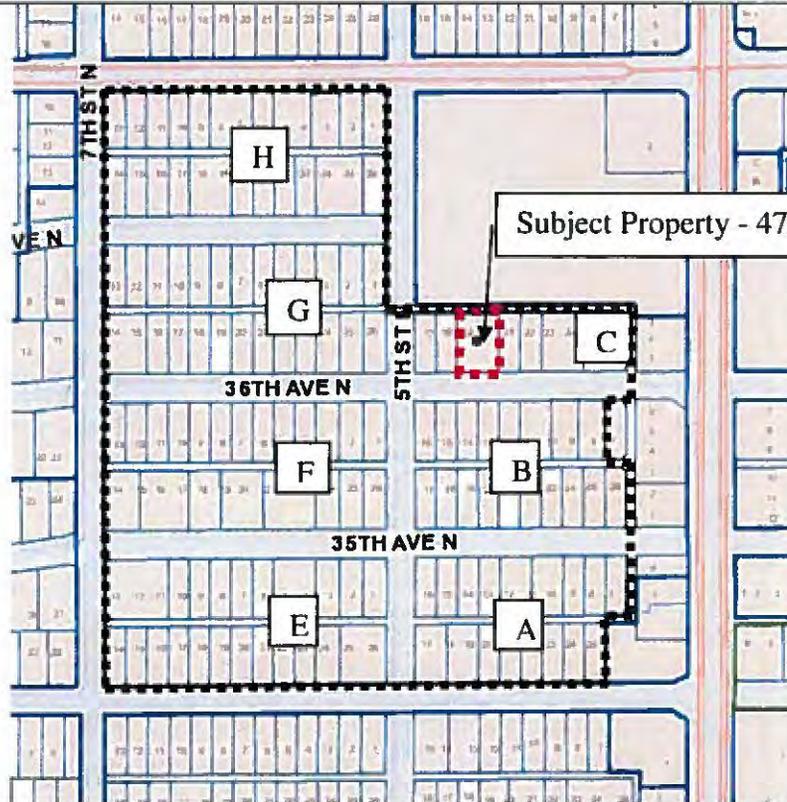
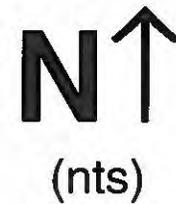


Exhibit E
Current Residential Lots in Bridgeway Subdivision



City of St. Petersburg, Florida
Planning & Economic Development Department
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- a. *Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.*

The applicant proposes to build a single-family unit on each of the lots for a total of two single family units. The development will meet all setbacks and development standards of the NT-2 zoning district. This is consistent to the neighborhood character.

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

Lots 19 and 20 are platted lots of record as part of the Bridgeway Addition Subdivision established in 1924. The platted lots are substandard to the NT-2 standards, which require a minimum lot width of 50-feet and minimum lot size of 5,800 s.f. The proposed lot widths are 45-feet a deficit of 10% and the lot area is 5,715 s.f. a deficit of 1.5%.

- 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.*

Lot 19 has an 11" oak, and a 6" cherry laurel on the rear 1/3 of the property and 4 palm trees along the side property lines. Lot 20 has a cluster of three (3) 8" oaks centrally located on the property. The applicant will be required to apply for a separate tree removal permit for the protected trees on site, if they are to be removed. This is included as a proposed condition of approval as part of this report.

- 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.*

Historically the block face of the subject property consisted of 10 single-family lots, all with 45-foot widths. Today, two of the lots are zoned Commercial and 2 of the lots have combined with another lot having common ownership, one being the subject property. Therefore, on the current block face, there are 6 NT-2 properties and 4 of these lots have 45' widths (67%). This pattern continues north to 40th Avenue N and south to 32nd Avenue N.

As previously noted, today, within the Bridgeway Addition Subdivision there are 129 lots zoned NT-2 in total. Of the 129 lots, 47 lots (36%) have conforming lots widths and 82 lots have non-conforming lot widths (64%). It is noted that this pattern continues north to 40th Avenue N and south to 32nd Avenue N. It is important to note that 107 (82%) of the 129 lots are developed with one single-family residence on one lot.

Table 1 Lot Widths of Residential Properties in Bridgeway Subdivision (Exhibit E)
(NT-2 Properties within 550' of Subject Property)

| Block | Location | Conforming | Substandard | % Standard | # of single platted lots | # of Multiple Lots | % Single-platted lots |
|-----------------|---------------------|------------|-------------|------------|--------------------------|--------------------|-----------------------|
| Block A | South | 4 | 12 | 25% | 12 | 4 | 75% |
| Block B | South Across street | 3 | 15 | 16.6% | 15 | 3 | 83% |
| Block C | Block Face | 2 | 4 | 33% | 4 | 2 | 67% |
| Block E | South west | 6 | 16 | 27.3% | 19 | 3 | 86% |
| Block F | South west | 12 | 9 | 57% | 16 | 5 | 76% |
| Block G | West | 8 | 17 | 32% | 24 | 1 | 96% |
| Block H | North west | 10 | 12 | 45% | 17 | 5 | 77% |
| Overall Average | | 47 | 82 | 36% | 107 | 23 | 82% |

- 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;*

In 1924 the lots were platted at 45-feet in width and 127-feet in depth, establishing the neighborhood development pattern, which is one house per one platted lot. This development pattern is still the pattern for the majority of homes in this neighborhood based on the platted lot size. This 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;*

Without approval of the requested variance, the owner can maintain the existing single-family home. However, the applicant is proposing to develop a new single-family home on both lots. Denial of the variance would be a hardship as it would not allow development of a new home on a platted lot of record when 82% of the surrounding homes are on one platted lot.

- 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;*

Does a literal application of the Code deprive this property owner of rights that others of similar lot size or zoning enjoy?

The intent of the proposed application is to reestablish two buildable lots from two platted lots of record to build a new single-family home on both Lots 19 and 20. The analysis on Table 1 demonstrates that 64% of the properties with the study area are deficient to lot width. The abutting properties on the east, west and south of the subject site are also deficient in lot width and lot area.

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

The variance request is the minimum necessary to allow the development on single-family lots on the respective lots. The request represents a ten percent reduction in lot width and a 1.5% reduction in lot area and allows a reasonable use of the land. Please see attached site plans and elevations that are in conformance to the NT zoning requirements.

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 variance will not be injurious to neighboring properties as they are developed in a similar pattern. The abutting property to the north is commercial, and there

is commercial on the block to the east. Properties to the south across 36th Ave N have lots that are 45 feet in width and those to the west also have the same size lots.

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 variance 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.

None were considered.

PUBLIC COMMENTS: The subject property is within the boundaries of the Allendale Terrace Neighborhood Association. There have been no calls from the public concerning this parcel.

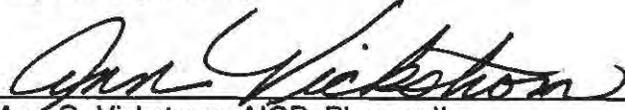
STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Development Services Department Staff recommends **APPROVAL** of the requested variance.

CONDITIONS OF APPROVAL: If the variance is approved consistent with the site plan submitted with this application, the Planning and Development Services Department Staff 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. This variance approval shall be valid through January 9, 2022. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
3. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.
4. Maximum impervious surface on the site must not exceed 65%, all plans submitted for permitting on this site must show the extent of all improvements on site and the Impervious Surface Ratio.
5. Parking must be provided on site and shown on any plans submitted of permitting. The site plan submitted for permitting must identify the number of bedrooms in the existing house. Required parking is two spaces for up to three bedrooms and one-half space for each additional bedroom as called out in 16.10.020.1 – Matrix: Use Permissions, Parking & Zoning.

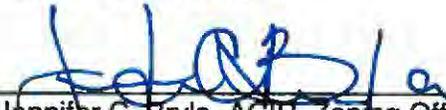
ATTACHMENTS: Location map/aerial, Zoning Map, Code Violations Report, Original Bridgeway Subdivision Map, Current Residential Lots in Bridgeway Subdivision, Site Plan (Lot 19 & 20), Floor Plans (Lots 19 & 20), Elevation Drawings (Lots 19 & 20), photograph, Applicant's Narrative, Neighborhood Worksheet.

Report Prepared By:


Ann O. Vickstrom, AICP, Planner II
Development Review Services Division
Planning & Development Services Department

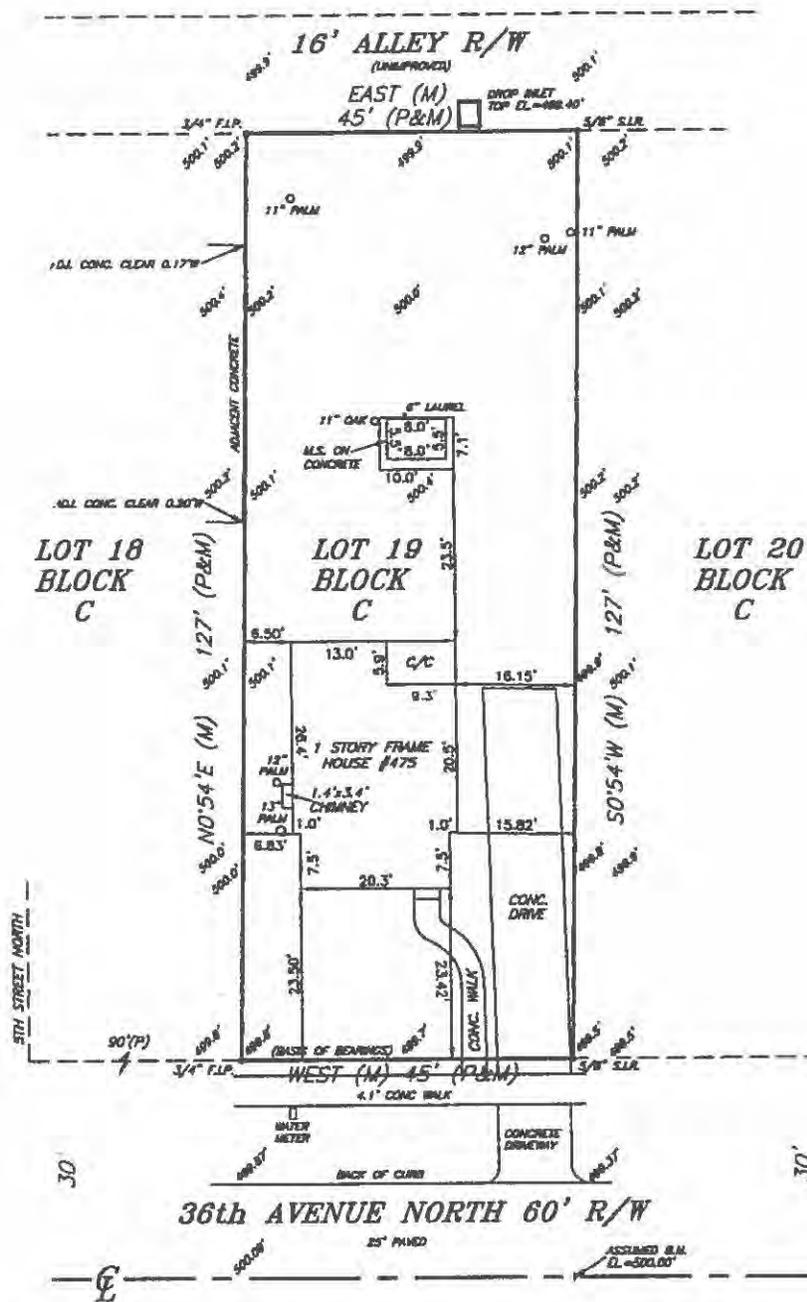
1/2/2019
Date

Report Approved By:


Jennifer C. Bryla, ACIP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

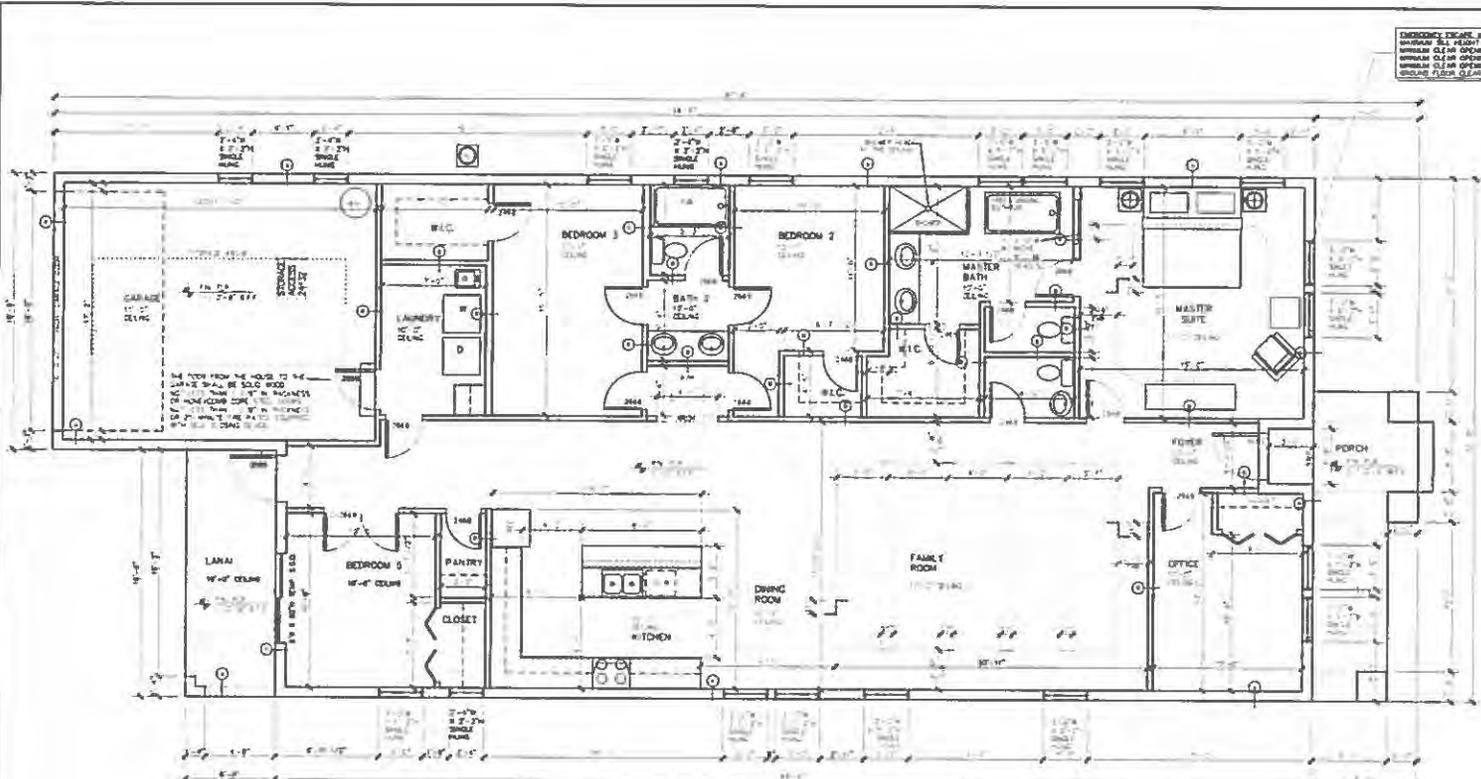
1.2.19
Date

JCB/AOV:iw



A Boundary Survey of Lot 19, Block C, BRIDGEWAY ADDITION TO ST. PETERSBURG, according to the map or plat thereof as recorded in Plat Book 6, Page 54, Public Records of Pinellas County, Florida, with assumed spot elevations.

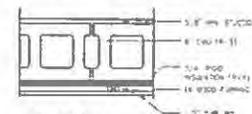
| | | |
|--|--|---|
| JOB NUMBER: MMXVIII408-19 TELEPHONE: (727) 360-0636 DATE OF FIELD SURVEY: 10/16/18 SCALE: 1 INCH = 20 FEET DRAWN BY: DLP | DAVID C. HARNER PROFESSIONAL LAND SURVEYOR 9925 GULF BOULEVARD TREASURE ISLAND, FL. 33706 SECTION 7 TOWNSHIP 31 SOUTH RANGE 17 EAST | FLOOD ZONE: "X" FLOOD MAP DATE: 8/18/09 COMMUNITY NUMBER: 125148 PANEL NUMBER: 0217 G CHECKED BY: DCH |
| CERTIFIED TO: ALPHA ENGINEERING & CONSTRUCTION LLC | | |
| I HEREBY CERTIFY TO THE HEREON NAMED PARTY OR PARTIES, AND ONLY TO THOSE NAMED HEREON, THAT THE BOUNDARY SURVEY REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE 472.027. | | |
| NOTES: UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN. OTHER EASEMENTS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. ONLY THOSE EASEMENTS KNOWN TO ME OR SUPPLIED TO ME BY THE HEREON NAMED PARTY OR PARTIES ARE DEPICTED HEREON. | | |
| LEGEND: A=ARC LENGTH ADJ=ADJACENT B.C.=BACK OF CURB CH=CHORD LENGTH C=CALC C.L.F.=CHAINLINK FENCE CONC=CONCRETE M.H.=MANHOLE C/C=COVERED CONC CL=CENTERLINE CH. BRG.=CHORD BEARING E.P.=EDGE OF PAVEMENT CL=ELEVATION FT=FINISHED FLOOR F.I.P.=FOUND IRON PIPE S.I.R.=SET IRON ROD WITH CAP #2650 F.I.R.=FOUND IRON ROD F.C.M.=FOUND CONCRETE MONUMENT M=MEASURED M.S.=METAL SHED D=DEED R=RECORD W/M=ROUND WOOD FENCE DR=DRAINAGE UT=UTILITY EASE=EASEMENT B.M.=BENCHMARK P.I.=POINT OF INTERSECTION P.R.I.M.=PERMANENT REFERENCE MONUMENT P=PLAT | | 10/29/18 DAVID C. HARNER P.L.S. REGISTRATION NUMBER 2650 |
| NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER | | |



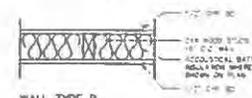
EMERGENCY ESCAPE ROUTE
 MINIMUM CLEAR HEIGHT FROM FLOOR: 4'-4"
 MINIMUM CLEAR OPENING HEIGHT: 3'-6"
 MINIMUM CLEAR OPENING WIDTH: 2'-0"
 MINIMUM CLEAR OPENING AREA: 5.7 SQ. FT.
 MINIMUM FLOOR CLEAR OPENING: 5.0 SQ. FT.

WALL TYPES:

SCALE: 1/4" = 1'-0"
 PROVIDE WATER RESISTANT BARRIER BEHIND IN LEFT OR OTHER END OF ALL EXTERIOR WALLS.
 2. THE EXTERIOR OF THE BUILDING SHALL BE SEALED.
 3. FLOOR JOIST END BRACKETS AND ALL WALLS SHALL BE SEALED FROM INTERIOR AND AIR INfiltration.
 4. TOP EDGE (INS.) BY 2x6 SHIP LAP JOIST.



WALL TYPE A



WALL TYPE B



WALL TYPE C

LEGEND:

- WALL TYPES
- 13 GENERAL CONSTRUCTION NOTE
- 54 SECTION DETAIL
- 51 PLAN DETAIL
- 52 ELEVATION SYMBOL

BUILDING DATA

THE BUILDING APPLICANT SHALL COMPLY TO THE FOLLOWING:
 FLOOR AREA CODE (SECTION 120.07)
 FLORIDA ACCESSIBILITY CODE (SECTION 120.07)
 FLORIDA ELECTRICAL BLDG. CODE (SECTION 120.07)
 FLORIDA FIRE PREVENTION CODE (SECTION 120.07)
 FLORIDA MECHANICAL BLDG. CODE (SECTION 120.07)
 FLORIDA PLUMBING BLDG. CODE (SECTION 120.07)
 FLORIDA BUILDING CODE - ENERGY CONSERVATION WITH ENERGY STAR (SECTION 120.07)
 FLORIDA BUILDING CODE - GREEN BUILDING FOR HIGH VELOCITY WINDBORNE SNOWS WITH ENERGY STAR (SECTION 120.07)
 FLORIDA FIRE PREVENTION CODE (SECTION 120.07)
 FLORIDA ACCESSIBILITY CODE (SECTION 120.07)
 2017 NATIONAL ELECTRIC CODE (NFPA 70E)
 DESIGN LOADS PER STRUCTURAL DRAWINGS
 BUILDING OCCUPANCY: R-2
 CONSTRUCTION TYPE: III-B
 UNFINISHED

GENERAL NOTES:

1. CONCRETE REINFORCED IN ALL SHOWERS AND BATHS.
2. VERIFY WINDOW OPENING DIMENSIONS BY MANUFACTURER'S SIZE.
3. ROOF AND WINDOW OPENINGS SHALL HAVE 3000 LB. SQ. FT. AND 2'-0" x 4'-0" ETC.
4. DETERMINE ALL APPLICABLE AND PLUMBING REQUIRE DIMENSIONS WITH CABINETS.
5. CONFIRMING DIMENSIONS ON PLANS AND FROM FACE OF STUDS AND FACE OF WINDOW UNITS, SHOWS, SPOKES, LATHING WALL DIMENSIONS ARE FROM FACE OF STUDS.
6. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH APPLICABLE CODES AND ORDINANCES.
7. FOR ENERGY CODE COMPLIANCE ALL OPENING MANUALS SHALL BE FURNISHED TO OWNER.
8. ANY ITEMS NOTED ON DRAWINGS SHOULD BE REVIEWED FOR ANY AMENDMENTS TO BE MADE TO THE ORIGINAL DRAWINGS TO BE CORRECTED AND AVAILABLE FOR OWNER APPROVAL.

AREA BREAKDOWN:

| | |
|--------------|---------------------|
| LIVING AREA | 2300 SQ. FT. |
| PORCH | 130 SQ. FT. |
| LANAI | 80 SQ. FT. |
| CARAGE | 300 SQ. FT. |
| TOTAL | 2610 SQ. FT. |

PROJECT CERTIFIED TO THE BEST OF HIS KNOWLEDGE THAT ALL PLANS AND SPECIFICATIONS COMPLY WITH THE CITY OF PETERSBURG, FLORIDA.

DOORS AND WINDOWS

NOTES:
 1. ALL DOOR AND WINDOW SIZES TO BE MANUFACTURER'S SIZE THAT IS ACCURATE TO THE PLAN.
 2. VERIFY CODE REQUIREMENTS.
WINDOW SIZES:
 3. ALL WINDOW SIZES TO BE MANUFACTURER'S SIZE THAT IS ACCURATE TO THE PLAN.
EXTERIOR DOOR SIZES:
 4. ALL DOOR SIZES TO BE MANUFACTURER'S SIZE THAT IS ACCURATE TO THE PLAN.

| PRODUCT CATEGORY | SUB CATEGORY | MANUFACTURER | STATE APPROVAL NUMBER (2015) |
|----------------------|-----------------------|-------------------|---|
| STRUCTURAL COMPONENT | WOOD CONNECTOR ANCHOR | SIMPSON | FL3205-16-FL3206-16-FL3208-16 FL3207-16-FL3208-16-FL3209-16 FL3207-16-FL3208-16-FL3209-16 FL3207-16-FL3208-16-FL3209-16 FL3208-16-FL3209-16-FL3210-16 |
| ROOFING | SHINGLE ROOF | OWENS CORNING | FL3267-16-16 |
| ROOFING | UNDERLAYMENT | OWENS CORNING | FL3777-16-16 |
| WINDOWS | SINGLE HUNG 700 | POT INDUSTRIES | FL3268-16-16 |
| DOOR | EXTERIOR DOORS | JELD WEN | FL3269-16-16 FL3269-16-16 |
| DOOR | EXTERIOR DOORS | POT INDUSTRIES | FL3269-16-16 |
| DOORS | EXTERIOR DOOR DAMAGE | CLOPAY | FL3269-16-16 |
| STRUCTURAL COMPONENT | LATHES | CARTCHETE | FL3269-16-16 |
| PANEL WALLS | BOARDS | CERTANTISED CORP. | FL3269-16-16 |
| ROOF VENT | ROOF VENT | AIR VENT INC. | MDA 14-0203B |

DESIGN CRITERIA

1. ALL DESIGN LOADS PER SECTION 120.07

| | |
|------------------------------|-------------|
| ULTIMATE WIND LOAD | 150 S.F.H |
| EXPOSURE | TC |
| PROTECTION OF OPENING | ENCLOSURE |
| NORMAL PRESSURE COEF. | +0.18 -0.18 |
| WIND CATEGORY | B |
| SOIL DESIGN BEARING CAPACITY | 2,500 PSF |
| COMPONENTS & CLADDING | TYPE I |

REFER TO WOOD TRUSS NOTES SHEET FOR TRUSS LOADS

FLOOR PLAN
 SCALE: 1/4" = 1'-0"

Alpha Engineering and Construction LLC

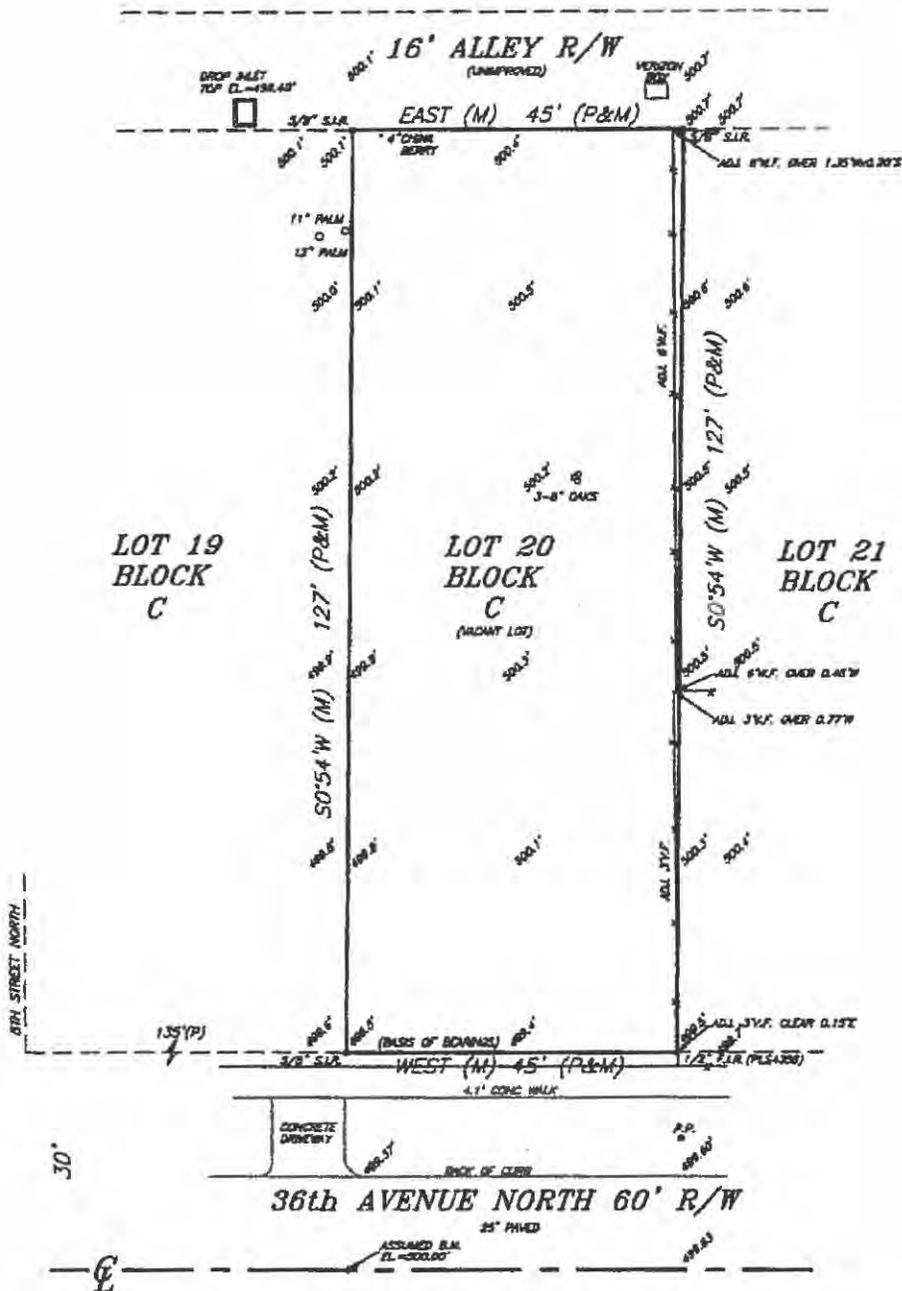
LEGEND™
 1BL/2926/2300/5/3/2

475 36TH AVE N
 ST PETERSBURG
 LOT-19
 NEW CONSTRUCTION

FLOOR PLAN

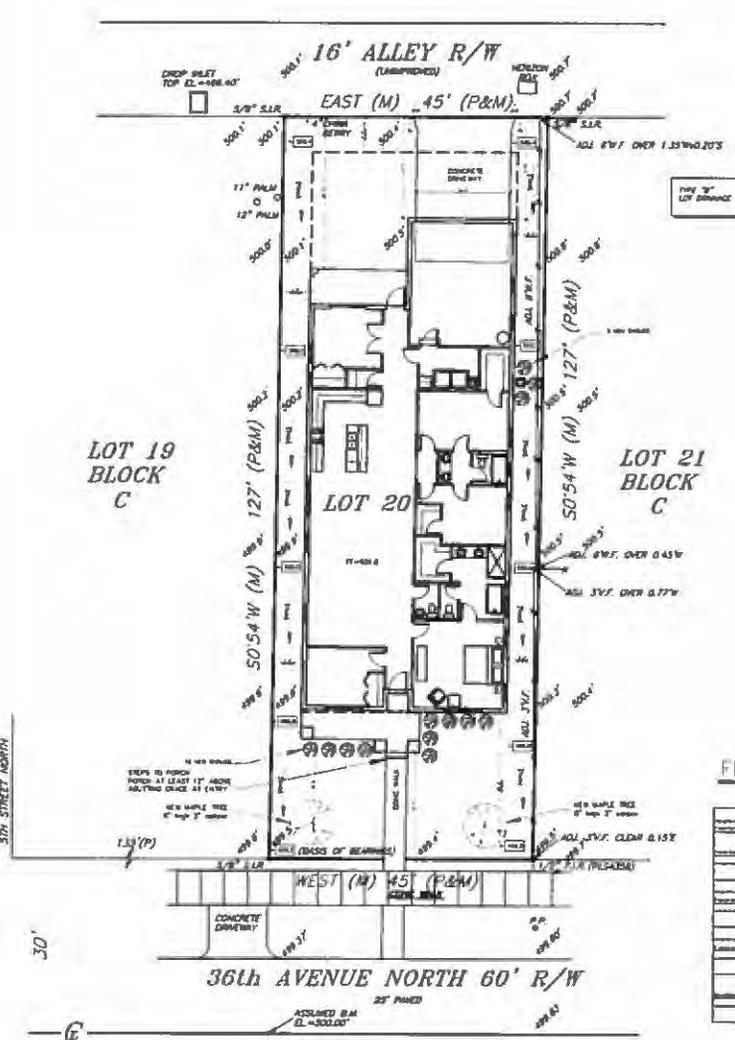
Project No. _____

A1.1



A Boundary Survey of Lot 20, Block C, BRIDGEWAY ADDITION TO ST. PETERSBURG, according to the map or plat thereof as recorded in Plat Book 6, Page 54, Public Records of Pinellas County, Florida, with assumed spot elevations.

| | | |
|---|--|---|
| JOB NUMBER: MALXVIII408-20 TELEPHONE: (727) 360-0636 DATE OF FIELD SURVEY: 10/16/18 SCALE: 1 INCH = 20 FEET DRAWN BY: DLP | DAVID C. HARNER PROFESSIONAL LAND SURVEYOR 9925 GULF BOULEVARD TREASURE ISLAND, FL. 33706 SECTION 7 TOWNSHIP 31 SOUTH RANGE 17 EAST | FLOOD ZONE: "X" FLOOD MAP DATE: 8/18/09 COMMUNITY NUMBER: 125148 PANEL NUMBER: 0217 G CHECKED BY: DCH |
| CERTIFIED TO: ALPHA ENGINEERING & CONSTRUCTION LLC | | |
| I HEREBY CERTIFY TO THE HEREON NAMED PARTY OR PARTIES, AND ONLY TO THOSE NAMED HEREON, THAT THE BOUNDARY SURVEY REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE 472.027. | | |
| NOTES: UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN. OTHER EASEMENTS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. ONLY THOSE EASEMENTS KNOWN TO ME OR SUPPLIED TO ME BY THE HEREON NAMED PARTY OR PARTIES ARE DEPICTED HEREON. | | |
| | | 10/16/18 <i>[Signature]</i> DAVID C. HARNER P.L.S. REGISTRATION NUMBER 2550 |
| LEGEND: A=ARC LENGTH ADJ=ADJACENT B.C.=BACK OF CURB CH=CHORD LENGTH C=CALC. C.L.F.=CHAINLINK FENCE CONC=CONCRETE M.H.=MANHOLE C/C=COVERED CONC. CL=CENTERLINE CH. BRG.=CHORD BEARING E.P.=EDGE OF PAVEMENT EL=ELEVATION FT=FINISHED FLOOR F.I.P.=FOUND IRON PIPE S.I.R.=SET IRON ROD WITH CAP #2650 F.I.R.=FOUND IRON ROD F.C.M.=FOUND CONCRETE MONUMENT M=MEASURED M.S.=METAL SHED D=DEED R=RECORD W/W=WING WALL W.F.=WOOD FENCE DR=DRAINAGE UT=UTILITY EASE=EASEMENT B.M.=BENCHMARK P.I.=POINT OF INTERSECTION P.R.M.=PERMANENT REFERENCE MONUMENT P=PLAT | | |
| *NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER* | | |



SITE PLAN
SCALE 1"=10'-0"

CALCULATIONS

| Item | Quantity | Unit Price | Total |
|-------------------|----------|------------|----------------|
| Excavation | 100 | 1.50 | 150.00 |
| Foundation | 200 | 1.00 | 200.00 |
| Roofing | 100 | 1.00 | 100.00 |
| Interior Finishes | 100 | 1.00 | 100.00 |
| Electrical | 100 | 1.00 | 100.00 |
| Plumbing | 100 | 1.00 | 100.00 |
| Paint | 100 | 1.00 | 100.00 |
| Landscaping | 100 | 1.00 | 100.00 |
| Permit Fees | 100 | 1.00 | 100.00 |
| Contingency | 100 | 1.00 | 100.00 |
| Total | | | 1000.00 |

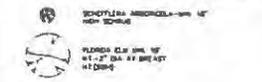
FENESTRATION CALCULATION

| Room | Area (sq ft) | Window Area (sq ft) | Window U-Value | Window R-Value | Window SHGC | Window Solar Heat Gain Coefficient |
|--------------|--------------|---------------------|----------------|----------------|-------------|------------------------------------|
| Living Room | 150 | 50 | 0.30 | 3.33 | 0.75 | 1.50 |
| Bedroom | 100 | 30 | 0.30 | 3.33 | 0.75 | 1.50 |
| Bathroom | 50 | 10 | 0.30 | 3.33 | 0.75 | 1.50 |
| Kitchen | 80 | 20 | 0.30 | 3.33 | 0.75 | 1.50 |
| Hall | 30 | 5 | 0.30 | 3.33 | 0.75 | 1.50 |
| Staircase | 20 | 0 | - | - | - | - |
| Garage | 100 | 0 | - | - | - | - |
| Total | 530 | 115 | 0.30 | 3.33 | 0.75 | 1.50 |

SHEET INDEX:

- SP1.1 SITE PLAN
- A1.1 FLOOR PLAN
- A2.1 ELEVATIONS
- S0.1 STRUCTURAL NOTES
- SI.1 FOUNDATION PLAN
- S2.1 ROOF FRAMING/WALL SECTION
- E1.1 ELECTRICAL PLAN

LANDSCAPE LEGEND



TREE PROTECTION NOTE:

ALL TREES ON SITE ARE EXTENSIVELY PROTECTED. SHOWS ON THIS PLAN INDICATE THE PROTECTION OF ALL TREES ON THE SITE. ALL TREES TO BE REMOVED OR DAMAGED SHALL BE REPLACED AT THE OWNER'S EXPENSE.

FIELD CONDITIONS TO BE MAINTAINED THROUGHOUT CONSTRUCTION.

STAKEOUT SHALL BE SET BY THE SURVEYOR'S OFFICE.

STAKEOUT SHALL BE SET BY THE SURVEYOR'S OFFICE.

AREA BREAKDOWN:

| | |
|-------------------|---------------------|
| FIRST FLOOR DRIVE | 1500 SQ. FT. |
| PORCH | 150 SQ. FT. |
| LANDSCAPE | 400 SQ. FT. |
| GARAGE | 300 SQ. FT. |
| TOTAL | 2350 SQ. FT. |

ADDITIONAL NOTES TO THE BEST OF THE ENGINEER'S KNOWLEDGE AND BELIEF, ALL INFORMATION IS TRUE AND CORRECT.

Alpha Engineering and Construction LLC

LEGEND - 1BL/2926/2300/5/3/2

475 36TH AVE N
ST PETERSBURG
LOT-20
NEW CONSTRUCTION

SITE PLAN

PROJECT No.

PA BRICK SHORE, AA
LAWRENCE W. JENKINS
LICENSED PROFESSIONAL ENGINEER
NO. 10743 - FLORIDA
DATE: 04/20/2010 10:58 AM EDT

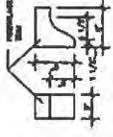
SP1.1

DOOR/WINDOW PROTECTION:

| PROTECTION TYPE | PROTECTION MATERIAL | PROTECTION COLOR | PROTECTION HEIGHT | PROTECTION WIDTH |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1. 2" x 4" x 8' ALUMINUM |
| 2. 2" x 4" x 8' ALUMINUM |
| 3. 2" x 4" x 8' ALUMINUM |
| 4. 2" x 4" x 8' ALUMINUM |
| 5. 2" x 4" x 8' ALUMINUM |

STUCCO NOTES

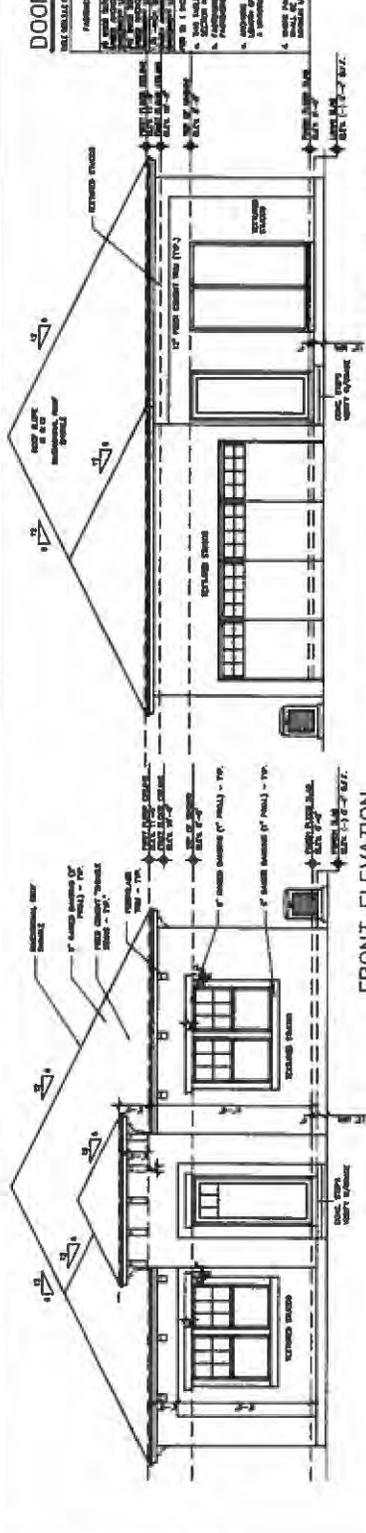
- 1- STUCCO Plaster:
 Plastering with portland cement plaster shall be applied to all exterior walls. The plaster shall be applied in two coats. The first coat shall be 1/2" thick and the second coat shall be 1/2" thick. The total thickness shall be 1" thick. The plaster shall be finished with a smooth finish. The plaster shall be applied to all exterior walls. The plaster shall be applied in two coats. The first coat shall be 1/2" thick and the second coat shall be 1/2" thick. The total thickness shall be 1" thick. The plaster shall be finished with a smooth finish.
- 2- STUCCO Water-repellent:
 Water-repellent shall be installed as required in Section 05122 and, where applied to exterior masonry, shall be applied to all exterior masonry surfaces. The water-repellent shall be applied in two coats. The first coat shall be 1/2" thick and the second coat shall be 1/2" thick. The total thickness shall be 1" thick. The water-repellent shall be applied to all exterior masonry surfaces.



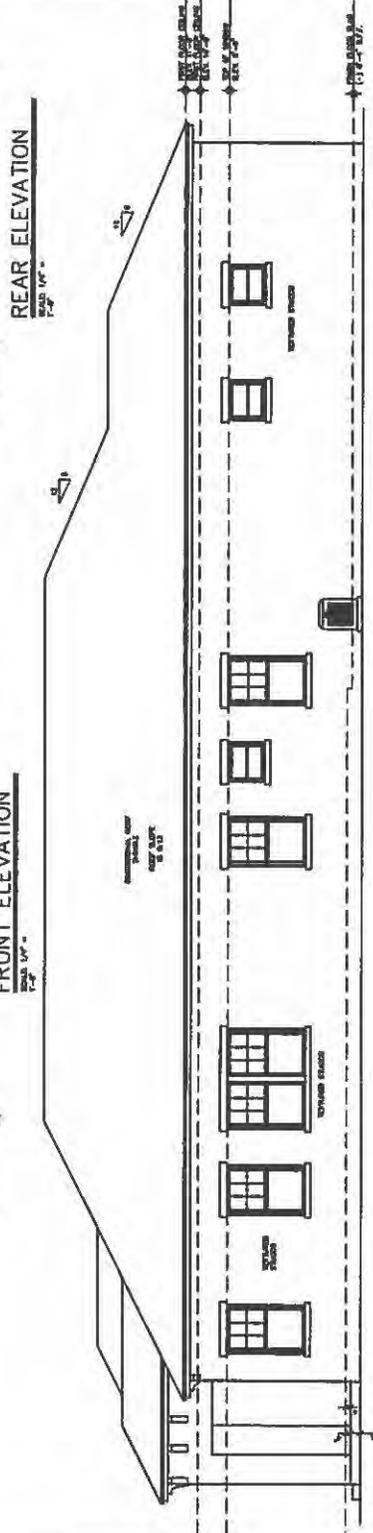
TRIM DETAIL
 SCALE: 1/4" = 1'-0"

ELEVATION NOTES:

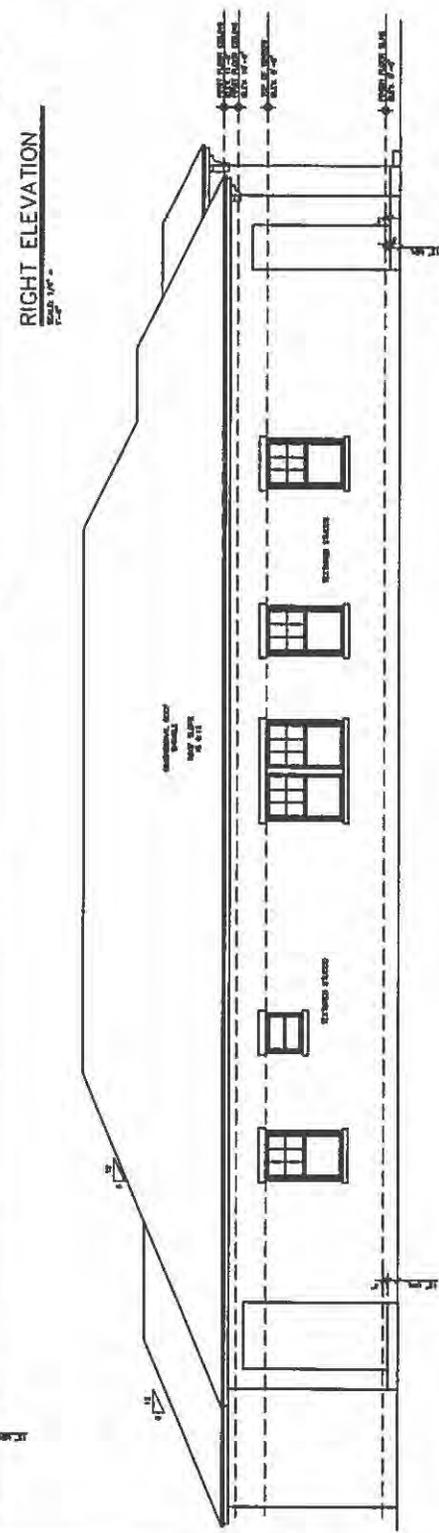
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.



FRONT ELEVATION
 SCALE: 1/4" = 1'-0"



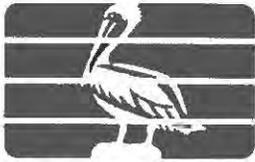
REAR ELEVATION
 SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
 SCALE: 1/4" = 1'-0"



LEFT ELEVATION
 SCALE: 1/4" = 1'-0"



st.petersburg
www.stpete.org



VARIANCE

Application No. 18-54000088

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

| GENERAL INFORMATION | |
|--|---------------------------------|
| NAME of APPLICANT (Property Owner): 475 36th Ave N Land Trust | |
| Street Address: 405 6th Street S, Suite 102 | |
| City, State, Zip: St Petersburg FL 33701 | |
| Telephone No: 727-308-6925 | Email Address: Tony @ AC-EN.COM |
| NAME of AGENT or REPRESENTATIVE: Max Schwartz | |
| Street Address: 4830 W Kennedy Blvd | |
| City, State, Zip: Tampa FL 33604 | |
| Telephone No: 727-409-6825 | Email Address: Max @ AC-EN.COM |
| PROPERTY INFORMATION: | |
| Street Address or General Location: 475 36th Ave N | |
| Parcel ID#(s): 07-31-17-11376-003-0190 | |
| DESCRIPTION OF REQUEST: Variance to lot width from 50' - 45' of Area from 5800 sqft - 5715 | |
| PRE-APPLICATION DATE: | PLANNER: |

FEE SCHEDULE

| | | | |
|--|----------|--------------------------|----------|
| 1 & 2 Unit, Residential – 1 st Variance | \$300.00 | Each Additional Variance | \$100.00 |
| 3 or more Units & Non-Residential – 1 st Variance | \$300.00 | After-the-Fact | \$500.00 |
| | | Docks | \$400.00 |
| | | Flood Elevation | \$300.00 |

Cash, credit, checks made payable to "City of St. Petersburg"

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: 12/10/18



Pre-Application Meeting Notes

Meeting Date: 10/18/18 Zoning District NT-2

Address/Location: 475 36th Ave N, 33704

Type of Application: Variance

Staff Planner: _____

Attendees: Jennifer Bryla & Scot Bolyard

Neighborhood Association(s) & Contact Info: N/A

Request: Variance to lot width 50ft to 45ft & lot area from 5800sq ft to 5715

Notes: 475 36th Ave N was originally platted as two lots and a large majority of lots in subject lot are non-conforming to NT-2 district.

RECEIVED

DEC 10 2018

DEVELOPMENT SERVICES



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: 475 36th Ave N Land Trust

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

Property Address: 475 36th Ave N

Parcel ID No.: 07-31-17-11376-003-0190

Request: Variance to lot width & Area

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): Max Schwarz

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): [Handwritten Signature]

Andrii Zakovskiy
Printed Name

Sworn to and subscribed on this date

Identification or personally known: (PERSONALLY KNOWN)

Notary Signature: [Handwritten Signature]

Date: 12/10/18

Commission Expiration (Stamp of date): SARANNA MATHURA
Commission # GG 249834
Expires August 16, 2022
Bonded thru Budget Notary Services





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 be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

| APPLICANT NARRATIVE | |
|---|------------------|
| Street Address: 475 36th Ave N | Case No.: |
| Detailed Description of Project and Request: | |
| Variance to lot width 50 ft to 45 ft | |
| Variance to lot Area 5800 sq ft to 5715 sq ft | |
| <p>1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?</p> <p>475 36th Ave N when originally platted was 2 lots, 90x127. A majority of lots in Five Points are 45x127. Creating two building lots will only continue to enhance the character of the neighborhood considering the current condition of the property.</p> | |
| <p>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.</p> <p>Coincidentally, two houses were just built and sold on the same street on the same size lots. 633 36th Ave n & 627 36th Ave N both lots 45x127</p> <p>524 36th Ave N was a 90 x 127 lot that went to public hearing for same request on September 2017 and was approved 7-0</p> | |
| <p>3. How is the requested variance not the result of actions of the applicant?</p> <p>475 36th Ave N is currently in very rough shape, it has been sitting vacant for several years and continues to diminish the character of this block while accumulating various code violations.</p> | |



VARIANCE

NARRATIVE (PAGE 2)

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

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

| APPLICANT NARRATIVE |
|---|
| <p>4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood?</p> <p>This variance will continue to bring growth to the Five Points area while drastically changing the presence of this block.</p> |
| <p>5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?</p> <p>rehabbing the existing unfortunately does not make sense, its a small 750 sq ft frame structure that is inhabitable.</p> |
| <p>6. In what ways will granting the requested variance enhance the character of the neighborhood?</p> <p>Development in this NE part of St Pete is important, it is a more affordable part of NE St Pete that continues to grow and will continue to grow with more development of vacant properties.</p> |



VARIANCE

NEIGHBORHOOD WORKSHEET

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

| NEIGHBORHOOD WORKSHEET | |
|--|----------------------------------|
| Street Address: 475 36th Ave N | Case No.: |
| Description of Request: Variance to lot width & Area | |
| 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: | 472 36th Ave. North |
| Owner Name (print): | THOMAS THOSTENSON |
| Owner Signature: | <i>Thomas Thostenson</i> |
| 2. Affected Property Address: | 488 - 36 AVE N |
| Owner Name (print): | ALFRED ROBBINS |
| Owner Signature: | <i>Alfred Robbins</i> |
| 3. Affected Property Address: | 432 36th AVE NORTH |
| Owner Name (print): | KERRY CLAWSON |
| Owner Signature: | <i>Kerry Clawson</i> |
| 4. Affected Property Address: | 424 36th Ave N |
| Owner Name (print): | NICK HARRIS |
| Owner Signature: | <i>Nick Harris</i> |
| 5. Affected Property Address: | 455 36th Ave - St. Petersburg FL |
| Owner Name (print): | Amanda Hansen |
| Owner Signature: | <i>Amanda Hansen</i> |
| 6. Affected Property Address: | 445 - 36 Ave. No |
| Owner Name (print): | CHARLES VAYO DEVENO |
| Owner Signature: | <i>Charles Vayo Deveno</i> |
| 7. Affected Property Address: | 458 36th Ave N |
| Owner Name (print): | Tony Thostenson |
| Owner Signature: | <i>Tony Thostenson</i> |
| 8. Affected Property Address: | |
| Owner Name (print): | |
| Owner Signature: | |



BACKGROUND: This application requests a variance to the NT-2 (Neighborhood Traditional Single Family) zoning districts required minimum lot with from 50-feet to 47-feet and minimum lot area from 5,800 square feet to approximately 3,050 square feet, for non-conforming lots in common ownership. The subject property is located on 13th Avenue South between 5th Street South and 6th Street South in the Bartlett Park Neighborhood.

The applicant is the owner of two contiguous parcels, each of which are portions of two separately platted lots within the same subdivision. Parcel 1 identified as 543 13th Avenue South, was developed in 1925 as the east 50-feet of Lot 43. The subject parcel, Parcel 2 was developed as the west 47-feet of Lot 42 and is currently vacant. According to property card records the subject properties have been developed with the existing lot dimensions. Deed records indicate the two parcels were brought into common ownership in 1983 and have remained under common ownership since.

The property is located within the South St. Petersburg Community Redevelopment Area (CRA). The South St. Petersburg CRA was first established in June 2013 when City Council approved Res. 2013-247 finding blight in South St. Petersburg pursuant to Florida's Community Redevelopment Act of 1969 (Chapter 163, Part III). The most recent version of the redevelopment plan was adopted by City Council in May of 2015. The plan calls for revitalizing South St. Petersburg by promoting reinvestment in housing and neighborhoods, commercial corridors, business development, education and workforce development and non-profit capacity building. One specific focus of the plan is reinvigorating the housing market through rehabilitation and new construction in St. Petersburg Neighborhoods. The plan identifies housing as potentially the most important issue facing South St. Petersburg. According to the plan, "The community redevelopment area is faced with problems related to housing condition and age, supply and marketability, and affordability that drag on efforts to improve the quality of life and investment conditions in the CRA" (South St. Petersburg Community Redevelopment Plan, pg 24).

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.

CONSISTENCY REVIEW COMMENTS: The Planning & Development Services Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is **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.*

Approval of the variance would allow for the redevelopment of a currently vacant site in an area intended to promote redevelopment as outlined for the City South St. Petersburg Community Redevelopment Area.

- 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.*

Of the subject lots, Parcel 2 is deficient with regard to the required minimum lot width and lot area. Parcel 1 is deficient only in terms of lot area. Therefore, both lots are considered to be substandard.

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

This criterion does not apply.

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

This criterion does not apply.

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

There are several trees and shrubs located on the subject lot including Brazilian Red Peppers, Sable Palms, and one Grand Live Oak tree, which may be experiencing some forms of decline due to the presence of a strangler fig. The application does not identify any shade trees intended to potentially replace the existing Grand Live Oak. Two shade trees are required for new single-family development. Existing vegetation may be used to satisfy the landscaping required at the time of permitting.

- 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 abutting block face. The study area in this case is unique in comparison to areas analyzed in past non-conforming lot cases in that the Royal Poinciana Subdivision has an irregular rear yard property line, which runs diagonally through the rear of the platted lots in this subdivision. Overall, the development pattern is mixed in terms of developed lot sizes and consistency with originally platted lot lines. Although there is a 15.5% degree of non-conformity with regards to lots with non-conforming widths, the study identified a 73.3% degree of non-conformity in terms of lot area.

Table 1: Study Area Lot Width Analysis

| Block | Conforming | Substandard | % Substandard |
|---------------------|------------|-------------|---------------|
| Subject Block* | 23 | 7 | 23.3% |
| Abutting Block Face | 15 | 0 | 0% |
| Overall Average | 38 | 7 | 15.5% |

Table 2: Study Area Lot Area Analysis

| Block | Conforming | Non-Conforming | % Substandard |
|---------------------|------------|----------------|---------------|
| Subject Block* | 11 | 19 | 63.3% |
| Abutting Block Face | 1 | 14 | 93.3% |
| Overall Average | 12 | 33 | 73.3% |

Approval of the variance would accommodate redevelopment of a currently vacant property and provide needed infill development in a transitioning area of the city. The proposed home will promote the established development pattern in terms of size and setback requirements

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

This criterion does not apply.

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

The request is considered to not be self-imposed, as the configuration of either lots currently in common ownership were not created as a result of the applicant's actions. According to property cards records, each of the two parcels had originally been developed in their current formation. Deed records show both parcels have remained under common ownership since 1983.

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

Without approval of the requested variance, literal enforcement of this chapter would render the subject parcel not buildable but to deficiencies with lot width and lot area. The owner of the subject property would need to consolidate the two existing parcels to create one conforming lot under one parcel identification. Upon consolidation of the lots in common ownership, the zoning district would allow one single family residence and one accessory dwelling unit under current regulations.

4. *Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;*

Strict applications of the provisions of this chapter would not allow for the property to be developed for single-family use. Given that the subject parcel is not the result of an action performed by the applicant to create the existing dimensional non-conformities, strict application of this chapter would not provide optimal use of the land. The zoning district requires conforming lots to maintain a minimum lot width of 50-feet and lot area 5,800 square feet, the subject parcel proposed for redevelopment, is 47-feet in width at the front property line and approximately 3,058 square feet would continue to remain unbuildable.

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

The variance requested is reasonable to allow the development of the vacant parcel for new single-family construction. The request will be mitigated by compliance with the district required setbacks and design requirements.

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 and intent of the Comprehensive Plan, Community Redevelopment Area, and the Land Development Regulations by promoting revitalization and redevelopment. The Land Development Regulations for Neighborhood Traditional districts states: "The purpose of the NT districts 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. This application and its supplementary materials propose new single-family development in a manner consistent with the neighborhoods existing traditional residential pattern.

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

The granting of this variance does not appear to be injurious to neighboring properties or detrimental to the welfare of the public.

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

The reasons presented by this application do justify the granting of the requested variance.

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.*

There have been no nonconforming structures or uses considered by this staff report.

PUBLIC COMMENTS: The subject property is within the boundaries of the Bartlett Park Neighborhood Association and the Downtown Residents Civic Association. One phone call was received requesting clarification of the request. one email expressing concern with the intended development was received and has been included in the staff report. No responses from either neighborhood association have been received.

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

CONDITIONS OF APPROVAL: If the variance is approved consistent with the site plan submitted with this application, the Planning and Development Services Department Staff 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. Plans submitted for permitting shall comply with the requirements of the NT-2 zoning district.
3. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.
4. Maximum impervious surface on the site must not exceed 65%, all plans submitted for permitting on this site must show the extent of all improvements on site and the Impervious Surface Ratio.
5. Parking must be provided on site and shown on any plans submitted of permitting. The site plan submitted for permitting must identify the number of bedrooms in the existing house. Required parking is two spaces for up to three bedrooms and one-half space for each additional bedroom as called out in 16.10.020.1 – Matrix: Use Permissions, Parking & Zoning.
6. This variance approval shall be valid through January 9, 2021. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.

ATTACHMENTS: Aerial Map, Plat Map, Site Plan, Floor Plan, Elevations, Photographs, Applicant's Narrative, Property Card, Public Comment of Concert (E-mail)

Report Prepared By:



Shervon A. Chambliss, Planner I
Development Review Services Division
Planning & Development Services Department

1/2/19
Date

Report Approved By:



Jennifer C. Bryla, ACP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

1.2.19
Date

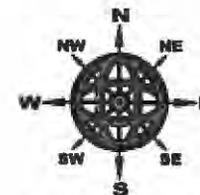
JCB/SAC:iw



Project Location Map
City of St. Petersburg, Florida
Planning and Development Services
Department
Case No.: 18-54000093
Address: 543 13th Avenue South



SECTION 30, TOWNSHIP 31S, RANGE 17E



NORTH BASIS:
ASSUMED
SCALE: 1/32" = 1'-0"

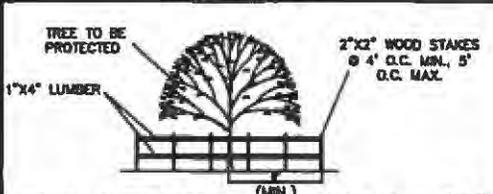
Plan Legend

- EXISTING TREES TO BE REMOVED SHOWN THUS:
- ROOF LINES SHOWN THUS:
- ROOF SLOPE SHOWN THUS:
- GRADE SLOPE SHOWN THUS:
- TREE PROTECTION BARRICADE SHOWN THUS:
- EXISTING GRADE ELEVATION SHOWN THUS:
- PROPOSED GRADE ELEVATION SHOWN THUS:

FEMA Notes

FEMA FLOOD ELEVATION: 8.9
 SECOND FLOOR ELEVATION: 16.07 N.A.S.D.
 FLOOR FLOOR ELEVATION: 16.07 N.A.S.D.
 LOWEST FINISH FLOOR: 1.17 N.A.S.D.
 LOWEST FINISH FLOOR: 1.17 N.A.S.D.
 1) ALL EQUIPMENT, ELECTRICAL & PLUMBING TO BE INSTALLED ABOVE THE DESIGN FLOOD ELEVATION.
 2) ALL WALLS AND CEILING SHALL BE FINISHED TO THE DESIGN FLOOD ELEVATION.
 3) ALL WALLS AND CEILING SHALL BE FINISHED TO THE DESIGN FLOOD ELEVATION.

Tree Barricade Detail



NOTE: PROVIDE TREE PROTECTED IN CONSTRUCTION AREA N.T.S.

Landscaping Legend & Specifications

- PROPOSED TREE: SOUTHERN MAGNOLIA (MAGNOLIA GRANDIFLORA) 6' MIN. HEIGHT, FLORIDA GRADE NO. 1 OR BETTER - PLANTING LOCATION SHOWN THUS:
- PROPOSED DORRA (DORRA COCCINEA) SHRUB 18" MIN. HEIGHT, - PLANTING LOCATION SHOWN THUS:
- IRRIGATION NOTE: PROPERTY IRRIGATION TO BE IN-GROUND, MULTI-ZONE IRRIGATION SYSTEM ON TIMER CONTROL. SYSTEM TO BE DESIGNED TO AVOID RUNOFF, OVERSPRAY OR OTHER SIMILAR CONDITIONS WHERE WATER FLOWS ONTO OR OVER ADJACENT PROPERTY, NON-IRRIGATED AREAS, WALKWAYS, ROADWAYS OR STRUCTURES. A RAIN SENSOR DEVICE OR SWITCH SHALL BE INSTALLED WHICH WILL OVERRIDE THE IRRIGATION CYCLE OF THE SPRINKLER SYSTEM WHEN ADEQUATE RAINFALL HAS OCCURRED.
- LANDSCAPING: THE INSTALLATION OF ST AUGUSTINE TURF (SOD) AT THE PROPERTY IS LIMITED TO A MAXIMUM OF 50% OF THE PERMEABLE AREA OF THE LOT. SOD GROUND IN RIGHT-OF-WAY IN FRONT OF LOT, PERMEABLE PORTIONS OF THE PROPERTY INCLUDING ALL REQUIRED YARDS SHALL BE MAINTAINED WITH AN HERBACEOUS LAYER OF SOD, SHRUBS, OR GROUND COVER PLANT MATERIAL. ORGANIC MULCH MAY BE USED AS A SURFACE COVERING UNDER SHRUBS, OR WHERE GROUND COVER MATERIAL IS MATURING.

LEGEND:

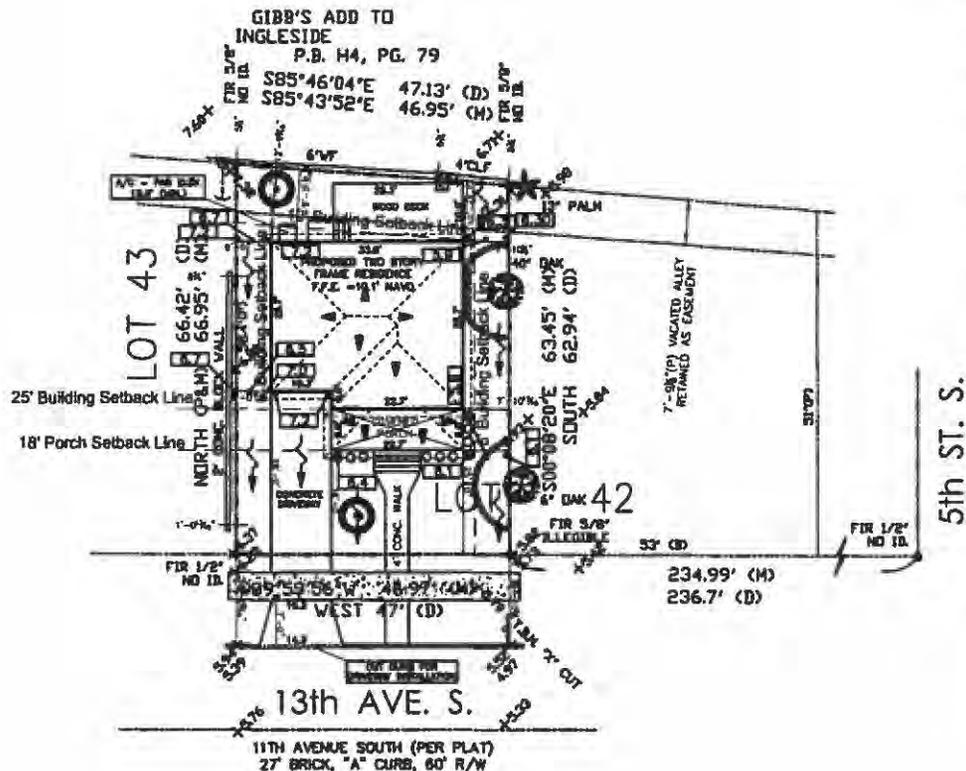
- N&D = NAIL & DISK
- FPP = FOUND PINCHED PIPE
- FW = FOUND IRON ROD
- D = DIED
- M = FIELD MEASUREMENT
- P = PLAT
- CONC = CONCRETE
- R/W = RIGHT OF WAY
- T.B.M. = TEMPORARY BENCHMARK
- PVC = VINYL FENCE
- CLF = CHAIN LINK FENCE
- WF = WOOD FENCE
- WM = WATER METER
- C = CLEANOUT
- T.V. = CABLE T.V.
- TS = TRAFFIC SIGN
- PO = POWER POLE
- SM = SANITARY MANHOLE
- SE = SPOT ELEVATION

Site Data Table

| DESCRIPTION NT-2: | REQUIRED/ALLOWED: | ACTUAL: |
|--------------------------------|-------------------|----------------|
| LOT AREA: | 5800 SF | 3058 SF |
| RESIDENTIAL BUILDING COVERAGE: | (1882 SF) 0.55 | (915 SF) 0.30 |
| TOTAL SITE: | (1988 SF) 0.65 | (1705 SF) 0.58 |
| FRONT YARD (1174SF) ISR: | (528SF) 0.45 | (512 SF) 0.44 |
| *FAR: | (1835 SF) 0.60 | (1830 SF) 0.60 |

*0.22 ELIGIBLE FAR BONUSES - SEE RESIDENTIAL ZONING COMPLIANCE CALCULATOR

Flood Zone
 AE CEL 8'
 COMMUNITY PANEL #125148 12100C0219 G,
 REVISED 9/3/83
 Basis of Bearings
 WEST BOUNDARY LOT 42
 ASSUMED NORTH PER PLAT'S GRAPHIC APPEARANCE
 Benchmarks
 COUNTY #577 FEDERAL K
 EL. = 4.780' N.G.V.D., ADJUSTED TO
 EL. = 4.820' N.A.V.D. M.S.L. = 0.00'



Project No. APC-1943 - Scale: 1/32"=1'-0"

537 13th Residence
 527 13th Avenue South
 St. Petersburg, Florida

Date Issued: 11-10-18

Drawn By: [Signature]

Checked By: [Signature]

Site Plan

ALDERMAN Planning
 Phone: 813.833.6161
 PO Box 66768 St. Petersburg FL 33732

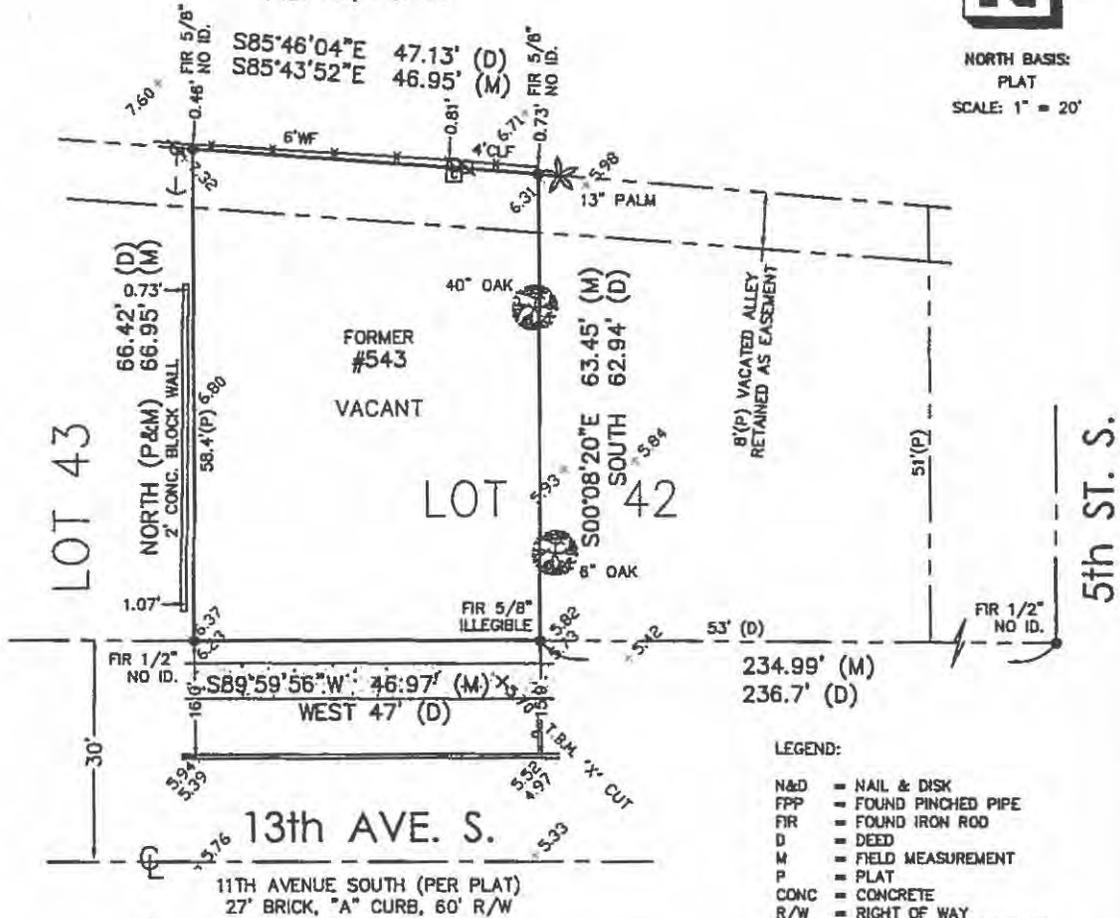
Sheet
A.0.1

SECTION 30, TOWNSHIP 31S, RANGE 17E

GIBB'S ADD TO INGLESIDE
P.B. H4, PG. 79



NORTH BASIS:
PLAT
SCALE: 1" = 20'



LEGEND:

- N&D = NAIL & DISK
- FPP = FOUND PINCHED PIPE
- FIR = FOUND IRON ROD
- D = DEED
- M = FIELD MEASUREMENT
- P = PLAT
- CONC = CONCRETE
- R/W = RIGHT OF WAY
- T.B.M. = TEMPORARY BENCHMARK
- PVC = VINYL FENCE
- CLF = CHAIN LINK FENCE
- WF = WOOD FENCE
- [Symbol] = WATER METER
- [Symbol] = CLEANOUT
- [Symbol] = CABLE T.V.
- [Symbol] = TRAFFIC SIGN
- [Symbol] = POWER POLE
- [Symbol] = SANITARY MANHOLE
- [Symbol] = SPOT ELEVATION

CERTIFIED TO:
RE2SS, LLC

LEGAL DESCRIPTION

WEST 47 FEET OF LOT 42
AND 8 FEET OF THE VACATED ALLEY TO THE NORTH,
ROYAL POINCIANA SUBDIVISION,
ACCORDING TO THE PLAT THEREOF
AS RECORDED IN PLAT BOOK 7, PAGE(S) 8-9,
OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF
WHICH PINELLAS COUNTY WAS FORMERLY A PART OF.

Flood Zone
AE (EL. 8')
COMMUNITY PANEL #125148 12103C0219 G,
REVISED 9/3/03

Basis of Bearings:
WEST BOUNDARY LOT 42
ASSUMED NORTH PER PLAT'S GRAPHIC APPEARANCE

Benchmark:
COUNTY #577 FEDERAL K
EL. = 4.780' N.G.V.D., ADJUSTED TO
EL. = 4.20' N.A.V.D. M.S.L. = 0.00'

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

1810-390.CRD
FIELD BOOK 950 PAGE 82

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

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

JOB# 1810-40
Dwn: JM

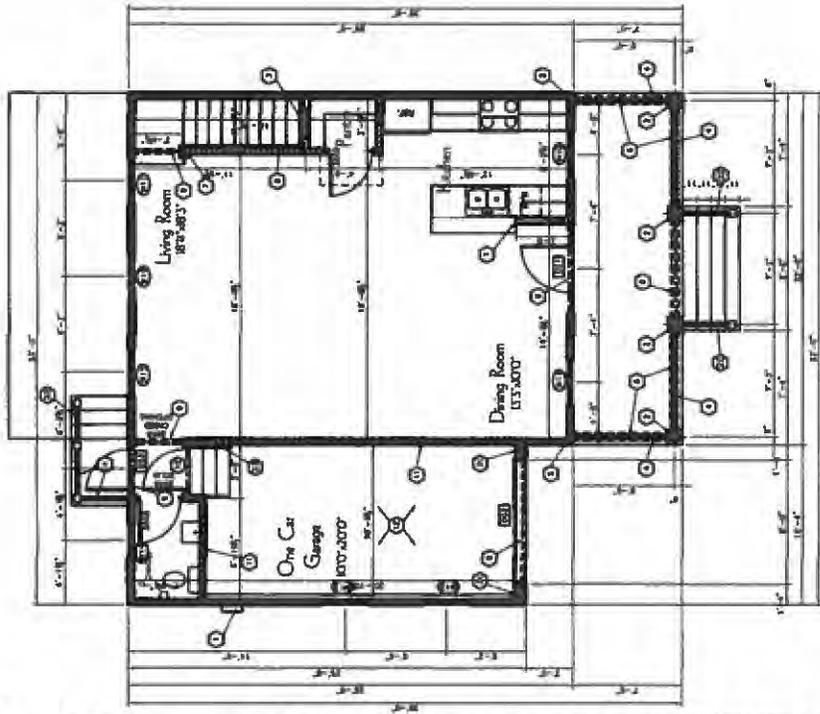
I hereby certify that the survey represented hereon meets the
requirements of Chapter 5J-17, Florida Administrative Code.

John O. Brendla
JOHN O. BRENDLA
Florida Surveyor's Registration No. 4601
Certificate of Authorization No. LB 760

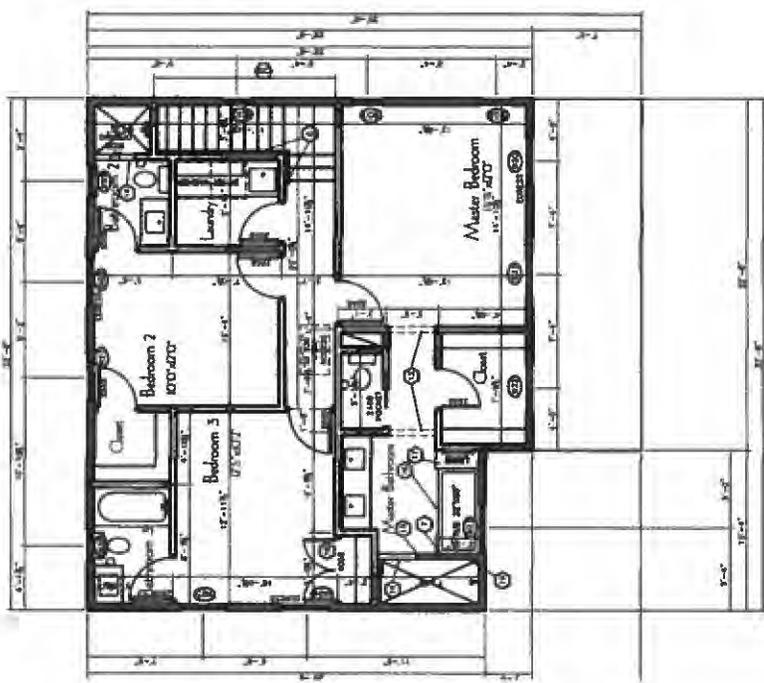
Prepared by:
JOHN C. BRENDLA & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS AND MAPPERS
4015 82nd Avenue North
Pinellas Park, Florida 33781
phone (727) 576-7546 ~ fax (727) 577-9932

| Area Tabulation | |
|-----------------------|------------|
| LIVING AREA: | 698 Sq Ft |
| 1ST FLOOR: | 913 Sq Ft |
| TOTAL LIVING AREA: | 1813 Sq Ft |
| GARAGE: | 217 Sq Ft |
| ENCLOSED FRONT PORCH: | 125 Sq Ft |
| TOTAL UNDER ROOF: | 1889 Sq Ft |

1st Floor



2nd Floor



FEMA Notes

1. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

2. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

3. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

4. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

5. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

6. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

7. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

8. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

9. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

10. ALL FLOORING MATERIALS SHALL BE FEMA CLASS 1 OR 2.

Notes

1. FINISHES INDICATED. ALL FINISHES, ELECTRICAL, AND MECHANICAL SHALL BE AS SHOWN. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

2. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

3. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

4. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

5. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

6. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

7. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

8. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

9. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

10. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

Plan Legend

1. 1/2" = 1'-0" FOR EXTERIOR WALLS

2. 1/4" = 1'-0" FOR INTERIOR WALLS

3. 1/8" = 1'-0" FOR PARTITION WALLS

4. 1/16" = 1'-0" FOR PARTITION WALLS

5. 1/32" = 1'-0" FOR PARTITION WALLS

6. 1/64" = 1'-0" FOR PARTITION WALLS

7. 1/128" = 1'-0" FOR PARTITION WALLS

8. 1/256" = 1'-0" FOR PARTITION WALLS

9. 1/512" = 1'-0" FOR PARTITION WALLS

10. 1/1024" = 1'-0" FOR PARTITION WALLS

Floor Plan Key

1. 1/2" = 1'-0" FOR EXTERIOR WALLS

2. 1/4" = 1'-0" FOR INTERIOR WALLS

3. 1/8" = 1'-0" FOR PARTITION WALLS

4. 1/16" = 1'-0" FOR PARTITION WALLS

5. 1/32" = 1'-0" FOR PARTITION WALLS

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7. 1/128" = 1'-0" FOR PARTITION WALLS

8. 1/256" = 1'-0" FOR PARTITION WALLS

9. 1/512" = 1'-0" FOR PARTITION WALLS

10. 1/1024" = 1'-0" FOR PARTITION WALLS



1. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

2. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

3. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

4. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

5. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

6. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

7. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

8. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

9. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

10. S. M. MANNING, P. E., 1801 11th Street, St. Petersburg, FL 33707

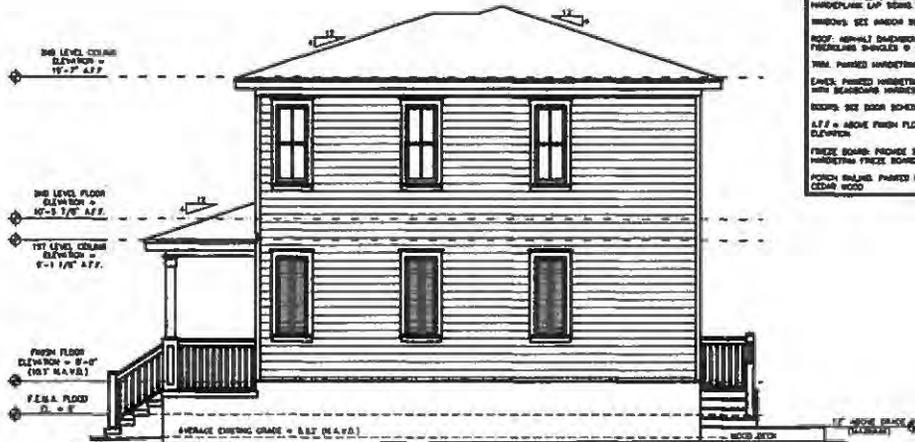
| FEMA Notes | |
|---|-------------|
| FEMA FLOOD ELEVATION | 15'-0" NAVD |
| DESIGN FLOOR ELEVATION | 18'-0" NAVD |
| FINISH FLOOR ELEVATION | 15'-0" NAVD |
| LOWEST GARAGE ELEVATION | 7'-0" NAVD |
| LOWEST PORCH ELEVATION | 9'-0" NAVD |
| MIN. LFC PAD ELEVATION | 18'-0" NAVD |
| MIN. WATER MAIN ELEVATION | 18'-0" NAVD |
| 1) ALL EQUIPMENT, ELECTRICAL & PLUMBING TO BE INSTALLED ABOVE THE DESIGN FLOOR ELEVATION. | |
| 2) ALL BUILDOUT MATERIALS BELOW THE DESIGN FLOOR ELEVATION MUST BE FEMA CLASS 4 OR 5 MATERIALS. | |



Front Elevation

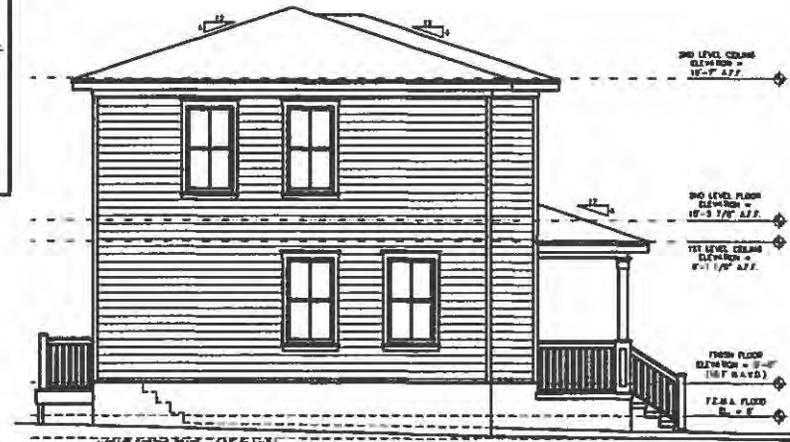


Rear Elevation



Right Side Elevation

| Exterior Specifications | |
|--|--|
| WALLS: PAINTED 5\"/> | |
| ROOF: ASPHALT SHINGLES, TRUSSLESS TRUSSES @ 12 SLOPE. | |
| FLOOR: PAINTED WOODSTRIP | |
| LINES: PAINTED WOODSTRIP FANCH WITH BEADBOARD WOODSHIPPE | |
| DOORS: SIX DOOR SCHEDULE | |
| L.F.F. = ABOVE FINISH FLOOR ELEVATION | |
| FENCE BOARD: PROVIDE 2\"/> | |
| PORCH RAILING: PROVIDE P.I. OF CEDAR WOOD | |



Left Side Elevation

J. S. MALCOLM, P. E., No. 1041
 1104 S. GULF BLVD., SUITE 100
 TAMPA, FL 33607
 PHONE: (813) 988-9277
 FAX: (813) 988-9277

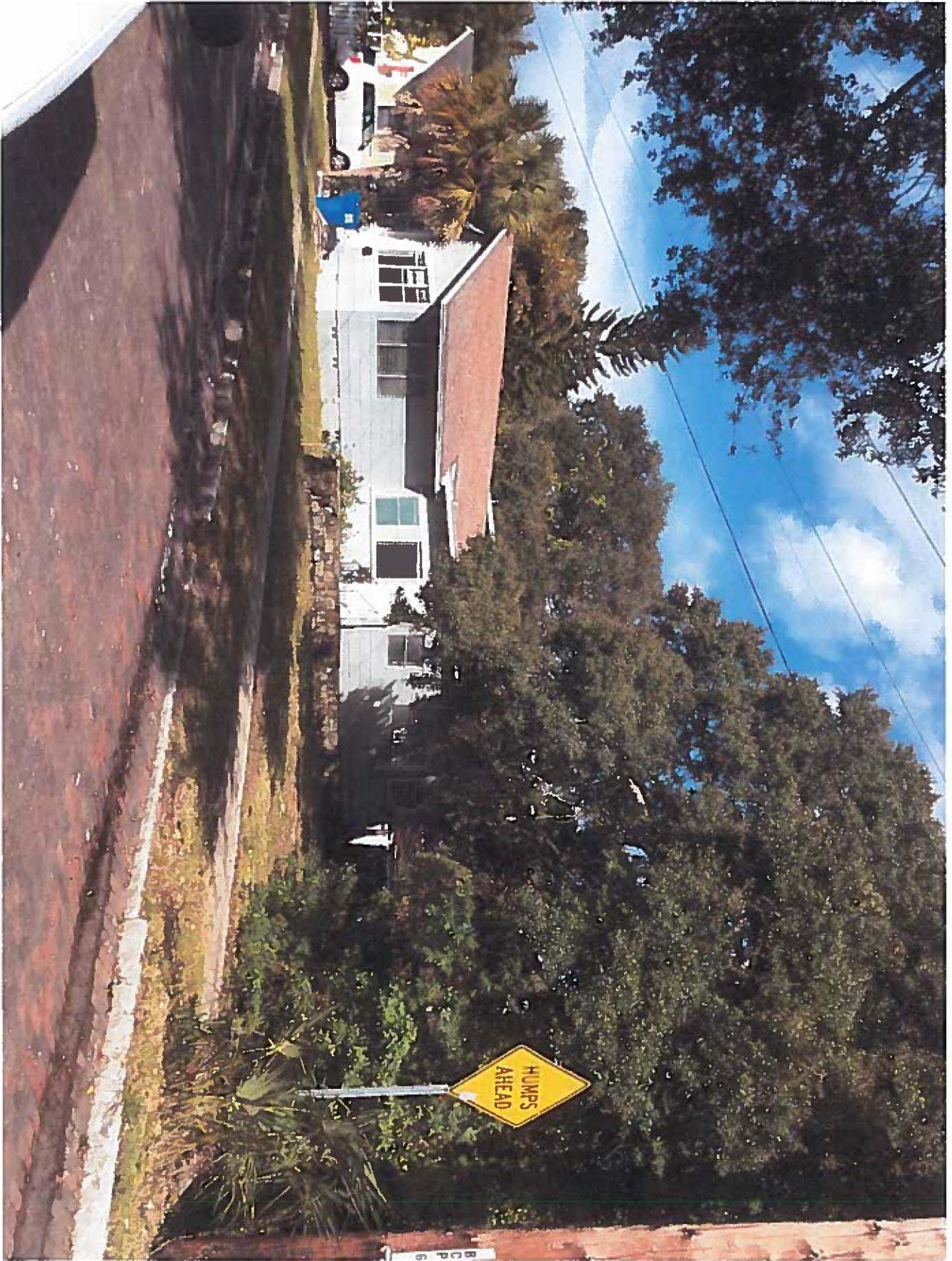
Project No. APC-1843 - Scale: 3/32"=1'-0"
 537 13th Residence
 527 13th Avenue South
 St. Petersburg, Florida

Date Issued: 11-10-18
 No. / Date / Revision

Elevations
 ALDERMAN Planning
 Phone: 813.833.6161
 P.O. Box 68765 St. Petersburg FL, 33732

Sheet
A.2.1







VARIANCE

st.petersburg
www.stpete.org

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

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE

Street Address: 527 13th Ave. South

Case No.:

Detailed Description of Project and Request:

Variance to lot area and width for a new single family residence at 527 13th Ave. South, which is one of two contiguous non-conforming lots currently under common ownership. The Subject Property is in the NT-2 Zoning District which requires a minimum lot area of 5,800 sqft. and a minimum lot width of 50'.

The Subject Property is a Lot of Record on which a duplex was previously constructed (demolished in 1962). The Subject Property is 3,058 sqft. and 47' wide.

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

The Subject Property is located on 13th Avenue South between 5th Street and 8th Street. All of the lots on 13th Avenue South are unique in shape and size because they were not platted as typical rectangular lots. When the lots were subdivided in 1911, according to the Royal Poinciana Plat, the rear lot lines were not parallel to the front lot lines. The depth of the lots increases from east to west – the eastern most lot is only 52' deep while the western most lot is 162' deep. As a result, nearly half the lots on 13th Avenue South are less than the 5,800 sqft. Minimum Lot Area required in the NT-2 District.

The vast majority of the housing stock in the eight (8) block area surrounding the Subject Property was constructed prior to 1954. Many homes were built on lots that are non-conforming under current NT-2 zoning standards due to Minimum Lot Area, Dimensional Standards, or a combination thereof. For example, the neighboring lot has an area of 3,436 sqft and there is a 2-story duplex constructed on it with a gross area of 2,593 sqft.

The requested variance is to construct a modest 3 bedroom home with 1,613 sqft. (living area), which is consistent with the established pattern of development on 13th Avenue South and the greater Bartlett Park Neighborhood.

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. There are many examples, including the two houses on either side of the Subject Property (543 13th Ave. South and 525 13th Ave. South).

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

At the time the lot was subdivided it likely conformed with zoning requirements. Changes in the city's zoning regulations over time have made the lot non-conforming. The applicant did not subdivide the property and has no control over changes to zoning regulations.

VARIANCE

st.petersburg
www.stpete.org

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

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE

4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood?

The variance is simply to allow the construction of a single family home on a non-conforming lot. Since the lot is zoned residential, the construction of a single family home is the minimum reasonable use of the property. The home will comply with all NT-2 zoning regulations, with the exception of the lot area/width requirements for which a variance is sought.

5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?

There are no alternatives that do not require a variance. Without the variance nothing can be built on the property.

6. In what ways will granting the requested variance enhance the character of the neighborhood?

The proposed home is consistent with the existing pattern of development on the block as well as the greater Bratlett Park Neighborhood. Allowing construction of the proposed home will provide additional entry level housing in an area where the city wants to see more redevelopment.

| SUBDIVISION | | Royal Poincianna Sub. | | E 50' of Lot 43 | | LOT | | BLOCK | |
|----------------------------------|------------|------------------------------|---------|------------------------------|--------|----------------|-------------------|--------------|------|
| MIT NO. | DATE | ELECTRICAL PER. NO. | DATE | PLUMBING PER. NO. | DATE | OWNER | CONTRACTOR | LECTURES | DATE |
| 543-13 AVE. 80. | 1945 | 20541 | 10/8/35 | 21936 | 4-24-4 | Mrs G. Wallin. | J.H. Savery, Inc. | G.L.S.B.GWH. | |
| OWNER | | OWNER | | OWNER | | | | | |
| CONTRACTOR | | CONTRACTOR | | CONTRACTOR | | | | | |
| | | OPENINGS | | | | | | | |
| | | 35786-8/16/40-Grover Wallin- | | 9935-11-12-36(Savery)OK.11-1 | | | | | |
| NO. BLDG. | ROOMS | (Brinson)-3ws-2m | | Wallen.543-0-L-8-B- | | | | | |
| | | #3344 11-18-42 Sonover | | #16572-8/7/40-elec.w.h. | | | | | |
| | | Mrs. Grover Wallen | | #21019-Mrs Wallin. II-18-42 | | | | | |
| | | 1-c 1-s 2-p | | Savery, O.S.S.H. | | | | | |
| | | FIXTURE PER. NO. | DATE | #70820 - 11/15/56 - G.Wallin | | | | | |
| | | | | Savery Flbg. -1-ewh | | | | | |
| FOUNDATION | ROOF | OWNER | | | | | | | |
| FLOORS | PARTITIONS | CONTRACTOR | | | | | | | |
| #38900. (200.00) 7-17-35 | | CERTIFICATE NO. | DATE | | | | | | |
| 2 Room Add. Goldie G. Gresson | | ISSUED TO- | | | | | | | |
| #36867-11-7-36 G. Wallin | | | | | | | | | |
| 1 st fm addn. to rear of | | | | | | | | | |
| residence. (Owner) \$200.00 | | | | | | | | | |
| #50536 10-28-42 \$200.00 | | GAS PERMIT NO. | DATE | SEWER PER. NO. | DATE | OWNER | CONTRACTOR | O. K. DATE | |
| Mrs. Grover W. Wallen | | 10128 | 7/40 | 1663 | 8/9/29 | L.B. Smith | Dalton | 8/12/29 | |
| Add one room on rear of res. | | OWNER | | OWNER | | | | | |
| (unfinished) | | CONTRACTOR | | CONTRACTOR | | | | | |
| #54799. 4/30/45. \$400.00 | | FIXTURES | | O. K. DATE | | | | | |
| Mrs. Grover W. Wallin. Relocate | | 2 mtrs hu | | 8/12/29 | | | | | |
| sink-glass in west porch-ermove | | ok-8/2/40- ng | | Sink only connected | | | | | |
| partition between room and porch | | #148 - 11/28/49 - G.Wallin | | | | | | | |
| erect arch, install window | | St. Pete Gas - 1-sp. heater | | | | | | | |
| & door, rebuild stairway-enlarge | | | | | | | | | |
| rear porch on 2nd floor. | | | | | | | | | |
| | | CERTIFICATE NO. | DATE | SEPTIC TANK PER. NO. | DATE | OWNER | CONTRACTOR | O. K. DATE | |
| | | ISSUED TO- | | | | | | | |

REQUEST: Approval of a Lot Split with a variance to the NT-2 zoning district required minimum lot width and minimum lot area for two non-conforming lots in common ownership to allow new single-family development.

OWNER: Oliver Papa Corporation
6519 Central Avenue
Saint Petersburg, Florida 33710

AGENT: Anthony Mullersman
200 Mirror Lake Drive North
Saint Petersburg, Florida 33701

ADDRESS: 543 13th Avenue South

PARCEL ID NO.: 30-31-17-77400-000-0430

LEGAL DESCRIPTION: On File

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

From: Elizabeth Abernethy

Sent: Monday, December 24, 2018 9:33 AM

To: Iris L. Winn <Iris.Winn@stpete.org>; Jennifer C. Bryla <Jennifer.Bryla@stpete.org>

Subject: RE: Input

Which case is he referring to on the January agenda? Do we know?

I have had much correspondence with Mr. Banks.

There was no active codes violation on the case across from him at the time we processed the request.

Let's discuss before sending any response,

Thanks,

Liz

From: Iris L. Winn

Sent: Monday, December 24, 2018 7:38 AM

To: Jennifer C. Bryla <Jennifer.Bryla@stpete.org>

Cc: Elizabeth Abernethy <Elizabeth.Abernethy@stpete.org>

Subject: FW: Input

Good morning all,

Please see below regarding concerns and suggestions for the DRC., from Mr. Brad Banks and advise when time permits.

Thank you,

Iris

From: Brad Banks <secondgenerationproperties@gmail.com>

Sent: Sunday, December 23, 2018 6:19 PM

Jennifer C. Bryla

From: Elizabeth Abernethy
Sent: Monday, December 24, 2018 9:55 AM
To: Iris L. Winn; Jennifer C. Bryla
Subject: RE: Input

FYI

There is a history of overgrowth and dumping on the subject parcel, but nothing active. We would encourage the redevelopment to improve the neighborhood, not preclude it. Shervon can include this in his staff report, as a reason to support the request.

Related Cases And Inspection Selection

Property address, location ID: 543 13TH AVE S
Parcel Identification Nbr: 30/31/17/77400/000/0430/
Old account number: 36353510

| Number | STATUS | DATE | TYPE | DESCRIPTION |
|-------------|-------------|----------|------|--------------------------------|
| 18 00026109 | CASE CLOSED | 10/02/18 | OS5 | SEARCH FOR ACTIVE VIOLATIONS |
| 18 00012551 | CASE CLOSED | 9/25/18 | BG | CIVIL CITATION |
| 18 00012551 | CASE CLOSED | 5/23/18 | BG | OVERGROWTH |
| 18 00011393 | CASE CLOSED | 5/09/18 | BG | CIVIL CITATION - GARBAGE CONT. |
| 18 00000750 | CASE CLOSED | 1/09/18 | AR | CIVIL CITATION - JTD |
| 17 00024844 | CASE CLOSED | 10/02/17 | SC | OVERGROWTH |
| 17 00000241 | CASE CLOSED | 1/05/17 | SC | PROPERTY MAINTENANCE |
| 17 00000181 | CASE CLOSED | 1/04/17 | SC | CIVIL CITATION |
| 16 00026550 | CASE CLOSED | 11/30/16 | AR | ILLEGAL UNITS |
| 16 00026516 | CASE CLOSED | 11/29/16 | SC | OVERGROWTH |
| 16 00006351 | CASE CLOSED | 4/11/16 | SC | PROPERTY MAINTENANCE |
| 16 00006346 | VOIDED | 4/11/16 | JLW | CERTIFICATE OF INSPECTION PROC |
| 16 00003239 | CASE CLOSED | 2/24/16 | JLW | CIVIL CITATION |
| 16 00001930 | CASE CLOSED | 2/03/16 | JLW | PROPERTY MAINTENANCE |
| 15 00015407 | CASE CLOSED | 7/22/15 | SC | OVERGROWTH |
| 14 00010979 | CASE CLOSED | 6/10/14 | JLW | PROPERTY MAINTENANCE |
| 14 00010919 | CASE CLOSED | 6/10/14 | ST | PROPERTY MAINTENANCE |
| 14 00004406 | CASE CLOSED | 3/18/14 | AKR | PARKING CITATION |

Thanks,
Liz

From: Iris L. Winn
Sent: Monday, December 24, 2018 9:48 AM
To: Elizabeth Abernethy <Elizabeth.Abernethy@stpete.org>; Jennifer C. Bryla <Jennifer.Bryla@stpete.org>
Subject: RE: Input

This may be the case he is referring to....(for January).



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

STAFF REPORT

DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST
PUBLIC HEARING

For **Public Hearing** and **Executive Action** on **January 9, 2019** beginning at 2:00 P.M.,
 Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & 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.: 18-54000094 PLAT SHEET: H-36

REQUEST: After-the-fact variance to the maximum allowable fence height from
 4-feet to 6-feet in the front yard to allow for a 6-foot high stockade
 wooden fence to remain within the front yard.

OWNER: Gary Colombo
 6829 19th Street North
 Saint Petersburg, Florida 33702-6434

ADDRESS: 6829 19th Street North

PARCEL ID NO.: 36-30-16-56826-068-0070

LEGAL DESCRIPTION: On File

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

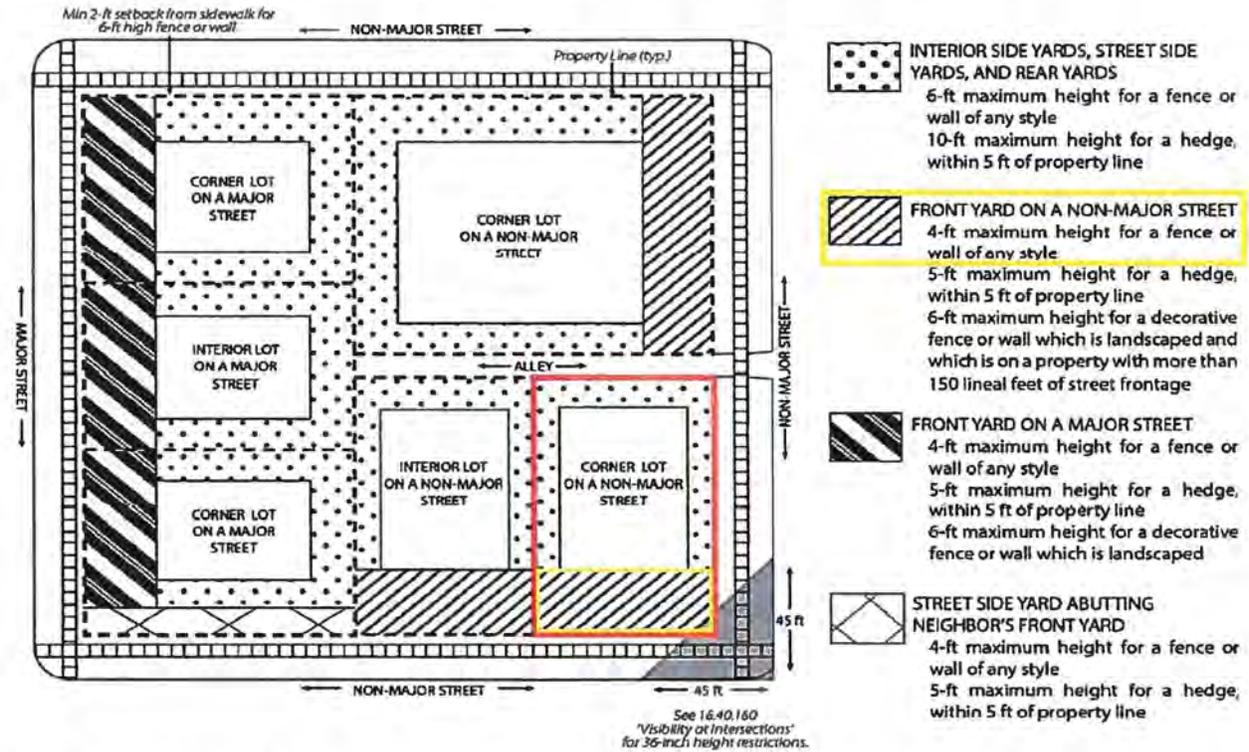
| | Required | Requested | Variance | Magnitude |
|--|----------------|----------------|----------------|--------------|
| Fence located in the Legal Front Yard | | | | |
| Fence Height | 4' - 0" | 6' - 0" | 2' - 0' | 50.0% |

BACKGROUND: The subject property is in the Meadowlawn neighborhood, at the southeast
 corner of 19th Street North and 68th Circle North (see Attachment A, Parcel Map and Attachment
 B, Aerial Location Map). The primary use of the property, a single-family residence, was permitted
 in 1962.

This variance request is for after-the-fact approval of an over-height fence installed within the property's front yard replacing a previously installed over-height fence in the same location (Attachment C). This after-the-fact variance request seeks to resolve Code Compliance Case #18-00026600. Previous photos of the property indicate that a 6-foot high fence was constructed in the same location as the newly installed fence sometime between January 2008 and July 2009 (see Attachment D). A permit is not required for the construction of residential fences and therefore the original installation nor the newly installed fence did not receive the benefit of formal zoning review prior to their establishment.

Per Section 16.60.010.8.1, "on a corner lot the front yard shall be the yard facing the roadway in which the lot has its lesser dimension". On this lot, the front of the home faces 19th Street North, which is considered the legal street side yard. The northeast facade of the home fronts the legal front yard. The surrounding properties are also zoned Neighborhood Suburban (NS-1).

The area requested for the fence would be considered a front yard on a non-major street (see graphic below). A front yard on a non-major street is allowed a 4-foot fence at the property line and a 5-foot hedge anywhere within 5 feet of the property line. A 6-foot stockade wood fence would be required to meet the minimum front yard building setback of 25 feet. In addition, all fences need to meet a visibility triangle at intersections, which limits fences or hedges to 36-inches within the triangle, see graphic below from city code section 16.40.040.3.



If this was a street side yard, on corner lots where a street side yard abuts a neighbor's legal front yard, a 4-foot high fence would be allowed to be placed on the property line along the street side. If this was the condition, a 5-foot high hedge would be allowed within 5-feet of the property line and a 6-foot high fence would be required to be setback 12-feet. The regulations

for the height of the fence and the hedge would be the same, whether this was a front yard or a street side yard abutting a neighbor's front yard.

The Applicant provided signatures of no-objection from seven (7) property owners in the vicinity of the subject property (see Attachment E) as well as support from the Meadowlawn Neighborhood Association. As of the time of this report, no other public comments have been made by email or phone.

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.*

This criterion is applicable, as the applicant is requesting a fence in the legal front yard for a property that was developed with the front of the house facing the legal street side yard.

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.*

This criterion is not applicable as this lot meets lot area and lot width for the NS-1 zoning district.

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.*

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.*

The proposed project would not align with the existing development along 19th Street North. The proposed location of the fencing would not match the development pattern.

- 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 conditions are the result of the actions of the applicant. The property was purchased in 2008 and the original fence was built sometime between January 2008 and July 2009 and replaced in 2018 while under the same ownership.

- 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 as a single-family residence without obtaining a variance to the location of the fence. A four-foot fence is allowed within the front yard, as is a five-foot hedge.

- 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 literal application of the Code does not deprive the Applicant of property rights that other properties of similar lot size or zoning designation.

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

The applicant already has reasonable use of the land and could expand the fence within the front yard with a four-foot fence.

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

This request is not consistent with the purpose and intent of the Code to accommodate reasonable use of property. The granting of the variance could set a precedent for taller fences in the front yards in this neighborhood.

- 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 variance would be injurious to the neighboring properties, as it would cut off the view from their front yards and for the block face. The most affected neighbor, at 1870 68th Circle North has not indicated no-objection in the submitted Neighborhood Worksheet. Over-height fences on corner properties may obstruct views and/or violate visibility triangles adversely affecting public safety

at intersections. Nonconforming structures should not be improved as nonconformities are intended to be replaced by conforming structures or be removed entirely over time.

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

The reasons set forth in the variance request do not indicate a unique situation and thus do not justify the granting of a variance.

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: The subject property is within the boundaries of the Meadowlawn Neighborhood Association. The Neighborhood Association has shown that it is in support of the requested variance. As of the time of this report, seven (7) property owners in the vicinity of the subject property have no-objection to the requested variance.

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

CONDITIONS OF APPROVAL: If the variance is approved consistent with the site plan submitted with this application, the Development Review Services Division Staff recommends that the approval shall be subject to the following:

1. The fence shall substantially resemble the plans and elevations submitted with this application.
2. This variance approval shall be valid through January 9, 2021. Fence construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
3. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.
4. Maximum impervious surface on the site must not exceed 65%, any plans submitted for permitting on this site must show the extent of all improvements on site and the Impervious Surface Ratio.
5. Maximum impervious surface of the combined front and street side yards must not exceed 25%, any plans submitted for permitting on this site must show the extent of all improvements on site and the Impervious Surface Ratio.
6. Commercial equipment may only be parked on site in conformance with the requirements of Section 16.40.100.5. Domestic equipment may only be parked on site in conformance with the requirements of Section 16.40. 100.6.
7. No additional curb cuts are permitted.

Report Prepared By:

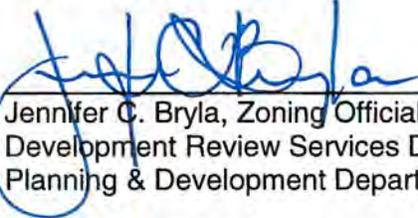


Mike Larimore, Planner I
Development Review Services Division
Planning & Development Department

12/28/2018

Date

Report Approved By:



Jennifer C. Bryla, Zoning Official (POD)
Development Review Services Division
Planning & Development Department

12.28.18

Date

ATTACHMENTS: Attachment A – Parcel Map; Attachment B – Aerial Photo; Attachment C – Survey/Site Plan; Attachment D – Property Photos (2); Attachment E – No-Objection Map; Attachment F – Application Package

MWL/JCB

Attachment A. – Parcel Map



Attachment B. – Aerial Photo



Attachment C. - Survey / Site Plan



Attachment D. – Property Photos



Attachment F. – Application Package

See next page.



VARIANCE

Application No. 18-54000094

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

| GENERAL INFORMATION | |
|--|--|
| NAME of APPLICANT (Property Owner): <u>GARY COLOMBO</u> | |
| Street Address: <u>6829 19th ST. N.</u> | |
| City, State, Zip: <u>ST. PETE, FL 33702</u> | |
| Telephone No: <u>727-204-2559</u> Email Address: <u>GACFL3@YAHOO.COM</u> | |
| NAME of AGENT or REPRESENTATIVE: | |
| Street Address: | |
| City, State, Zip: | |
| Telephone No: Email Address: | |
| PROPERTY INFORMATION: | |
| Street Address or General Location: <u>6829 19th ST. N.</u> | |
| Parcel ID#(s): | |
| DESCRIPTION OF REQUEST: <u>VARIANCE FOR FENCE</u> | |
| PRE-APPLICATION DATE: PLANNER: | |

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

AUTHORIZATION

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City's Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

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

Signature of Owner / Agent*: [Signature] Date: 10-16-18
*Affidavit to Authorize Agent required, if signed by Agent.
 Typed Name of Signatory: _____



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: GARY A. COLOMBO

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

Property Address: 6829 19th ST. N. ST. PETE, FL 33702

Parcel ID No.: 363016568260680070

Request: VARIANCE FOR FENCE

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): [Handwritten Signature]

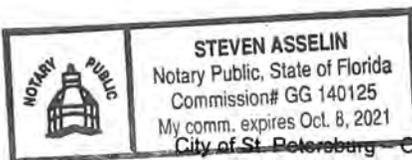
GARY A. COLOMBO
Printed Name

Sworn to and subscribed on this date

Identification or personally known: FL

Notary Signature: [Handwritten Signature]
Commission Expiration (Stamp or date): _____

Date: 10/24/18



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

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

| APPLICANT NARRATIVE | |
|--|-----------|
| Street Address: <u>6829 19th</u> | Case No.: |
| Detailed Description of Project and Request: <u>6' STOCKAD FENCE ON NORTH SIDE</u> | |
| <p>1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?</p> <p><u>THE LAYOUT OF OUR PLOT WOULD BE A BETTER FIT FOR THIS FENCE ON OUR NORTH SIDE THAN THE WEST SIDE. THE NORTH SIDE FENCE OFFER A PLEASANT APPEARANCE SECURITY AND ABILITY TO ENJOY OUR PROPERTY SAFELY. TO OPEN THE NORTH SIDE AND FENCE THE WEST SIDE WOULD BE UNATTRACTIVE, UNSAFE AND LIMIT THE USE OF THIS LARGE LOT, TO HAVE TO SELL OR RENT. 3R'S FROM RETIREMENT AND WITH AGE AND HEALTH ISSUES DON'T FEEL I CAN START OVER ELSEWHERE AND WOULD LOSE OUR INVESTMENT.</u></p> | |
| <p>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. <u>N/A</u></p> | |
| <p>3. How is the requested variance not the result of actions of the applicant? <u>N/A</u></p> | |



VARIANCE

NARRATIVE (PAGE 2)

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

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

| APPLICANT NARRATIVE |
|---|
| 4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood? <i>I would have lost use and privacy of the only large part of yard. This would fit visually and match the layout of our plot without traffic view obstruction and will always maintain this property to respect our investment value and appearance.</i> |
| 5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable? <i>To expose the north side with a 25' setback and a 4' fence would offer no security or privacy or useful use of lot with a large lot but back on east side and south side with very minimal area. To put fence on west side would make appearance and access to our driveway very poor and not to code could obstruct view of traffic. To sell or rent this property without this variance could possibly cause a nuisance especially with fence on west side and could draw theft with exposed n. side</i> |
| 6. In what ways will granting the requested variance enhance the character of the neighborhood? <i>It would look proper and deter theft. I will always take care of the appearance to better our property values and not draw issues. It would afford us to stay and take care of the appearance and help our property value. I and my wife could retire in peace feeling safe and to not lost so much of our years of hard work and our investment</i> |



st.petersburg
www.stpete.org

VARIANCE

NEIGHBORHOOD WORKSHEET

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

| NEIGHBORHOOD WORKSHEET | |
|--|---------------------------------------|
| Street Address: | 6829 19 th ST. N. ST. PETE |
| Case No.: | |
| Description of Request: | VARIANCE FOR FENCE |
| 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: | 6810 19 th St N. |
| Owner Name (print): | Don Slavin |
| Owner Signature: | |
| 2. Affected Property Address: | 6891 19 th St N. |
| Owner Name (print): | WILLIAM ALAN JENKINS |
| Owner Signature: | |
| 3. Affected Property Address: | 6815 19 th St. North |
| Owner Name (print): | Sylvia Grijawa |
| Owner Signature: | |
| 4. Affected Property Address: | 6784 19 th St No |
| Owner Name (print): | MARK L THOMPSON |
| Owner Signature: | |
| 5. Affected Property Address: | 6800 19 th St No |
| Owner Name (print): | MARK L THOMPSON |
| Owner Signature: | |
| 6. Affected Property Address: | 6884 19 th Street N |
| Owner Name (print): | |
| Owner Signature: | |
| 7. Affected Property Address: | 6878 19 th St N 33702 |
| Owner Name (print): | ARON FURONG |
| Owner Signature: | |
| 8. Affected Property Address: | |
| Owner Name (print): | |
| Owner Signature: | |



PUBLIC PARTICIPATION REPORT

Application No. _____

In accordance with LDR Section 16.70.040.1.F.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 | |
| <p><i>MET 10-23-18 @ 1801 QND AVE. N. ST. PETE, FL.</i> <i>APPROX 40 NEIGHBORS ATTENDED</i></p> | |
| (b) Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters, and other publications | |
| <p><i>MEETING NOTICE MAILED TO ALL NEIGHBORS LIVING IN MEADOWLAWN COMMUNITY</i></p> | |
| (c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located | |
| <p><i>IN MEADOWLAWN COMMUNITY</i></p> | |
| 2. Summary of concerns, issues, and problems expressed during the process | |
| <p><i>DISCUSSED LAYOUT OF LOT AND NO OBSTRUCTED VIEWS</i></p> | |
| 3. Signature or affidavit of compliance - President or vice-president of any neighborhood associations | |
| Check one: <input checked="" type="checkbox"/> Proposal supported | |
| <input type="checkbox"/> Do not support the Proposal | |
| <input type="checkbox"/> Unable to comment on the Proposal at this time | |
| <input type="checkbox"/> Other comment(s): | |
| Association Name: <i>MEADOWLAWN ASSOC.</i> President or Vice-President Signature: <i>[Signature]</i> | |
| 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. | |



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

STAFF REPORT

**DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST
 PUBLIC HEARING**

For **Public Hearing** and **Executive Action** on **January 9, 2019** beginning at 2:00 P.M.,
 Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & 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.

CASE NO.: 18-54000096 **PLAT SHEET:** F-12

REQUEST: Approval of an after-the-fact variance to the maximum allowable fence height from 6-feet to 8-feet to allow for a 6-foot high stockade wooden fence with an additional 2-feet of lattice work to remain within the interior side and rear yards.

OWNER: William Hawkins
 826 21st Avenue North
 Saint Petersburg, Florida 33704-3253

ADDRESS: 826 21st Avenue North

PARCEL ID NO.: 07-31-17-84888-000-2510

LEGAL DESCRIPTION: On File

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

| | Maximum Height | Requested Height | Variance | Magnitude |
|--|----------------|------------------|---------------|------------|
| Fence located within Interior Side and Rear Yards | | | | |
| Fence Height | 6-feet | 8-feet | 2-feet | 33% |

BACKGROUND: The subject property consists of one platted lot (Lot 251, Spring Hill Subdivision) and is located within the Crescent Lake Neighborhood Association boundaries. The existing one-story single-family residence was constructed in 1925 and purchased by the applicant in 2016. The applicant, citing security reasons, constructed a 6-foot high stockade wooden fence with an additional 2-feet of lattice work on top within the interior side and rear

yards to protect the property. The applicant was cited by Codes Compliance on September 24, 2018 (Case #18-00025574) for installing a wood fence more than 6-feet in height around the entire property and informed them that a variance must be approved for the fence to remain.

REQUEST: The applicant is requesting an after-the-fact variance to the maximum allowable fence height from 6-feet to 8-feet to allow for a 6-foot high stockade wooden fence with an additional 2-feet of lattice work to remain within the interior side and rear yards. The code allows for a 6-foot fence to be constructed up to the property line within the interior side and rear yards. Per City Code Section 6.40.040.3.5.B.7, up to two sections of fence or wall, not to exceed eight (8) feet in width each, may be allowed two (2) additional feet in height within any side (non-street) or rear yard for lattice, planter boxes, or selective screening of adjoining uses. The applicant has placed lattice work that is 2-feet in height on top of the 6-foot fence, for a total height of 8-feet, around the entire interior side and rear yard areas of the property amounting to a length of approximately 230-feet. Therefore, approval of the requested variance is necessary in order for the existing fence with lattice work to remain.

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

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

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

The site is an interior lot developed with a one-story single-family residence with a detached garage that is accessed off of the alley in the rear. The request is to allow an existing 6-foot fence with an additional 2-feet of lattice work to remain within the interior side and rear yards of the property.

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

The subject property meets the minimum lot size requirements for the NT-2 Zoning District, which requires a minimum lot width of 50-feet and a minimum lot area of 5,800 square feet. The subject property has a lot width of 50-feet and contains approximately 5,866 square feet.

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.

This criterion is not applicable as the request does not involve or impact significant vegetation or other natural features on the site.

f. Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.

The proposal is not consistent with the development pattern of the block in terms of fence height within interior side and rear yards. While there may exist other fences in the area that have a similar height, those fences are either limited to a total length of 16-feet where they are 8-feet in height, or they are not in compliance with the code.

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 property conforms to the minimum lot size requirements and there are no special conditions, such as grade changes, that exist that are related to the property.

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

Enforcement of the code would not result in an unnecessary hardship. The applicant is permitted to construct a 6-foot solid fence within the interior side and rear yard areas as a means of providing privacy on the subject property.

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 literal application of the code would not deprive this property owner of any rights that other properties with a similar lot size and zoning designation have.

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

The requested variance is not necessary to make possible the reasonable use of the property as a 6-foot fence can be constructed in the same location to secure the property.

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

The granting of the variance would not be in harmony with the purpose and intent of the code to provide consistent regulations for structures located on residentially zoned properties.

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 variance could have a visual impact on neighboring properties; however, all of the most affected neighboring property owners have indicated that they do not object to the requested variance, see attached Neighborhood Worksheet.

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

Staff finds that the reasons set forth in the application do not justify the granting of a variance for fence height.

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: The subject property is within the boundaries of the Crescent Lake Neighborhood Association. The President of the Crescent Lake Neighborhood Association acknowledged the requested variance and stated that, as a general policy, they do not take positions on variance requests, see attached letter from the President of the Crescent Lake Neighborhood Association. Seven property owners signed the attached Neighborhood Worksheet in support of the requested variance. Additionally, Staff received one phone call and correspondence from two property owners supporting the request, see attached correspondence. Staff did not receive any phone calls or emails in opposition to the request.

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

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

1. The fence that is currently on the property, depicted on the attached survey and photographs, shall remain substantially the same in terms of design, height and location.
2. This variance approval shall be valid through January 9, 2022. The applicant shall inform the Code Compliance Officer of the approval prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
3. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

ATTACHMENTS: Map, Survey, Photographs, Applicant's Narrative, Codes Compliance Report, Neighborhood Worksheet, Letter from the President of the Crescent Lake Neighborhood Association, Correspondence from Property Owners

Report Prepared By:



12/28/18

Scot K. Bolyard, AICP, Deputy Zoning Official
Development Review Services Division
Planning & Development Services Department

Date

Report Approved By:



12-31-18

Jennifer C. Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

Date

JCB/SKB:iw



st.petersburg
www.stpete.org

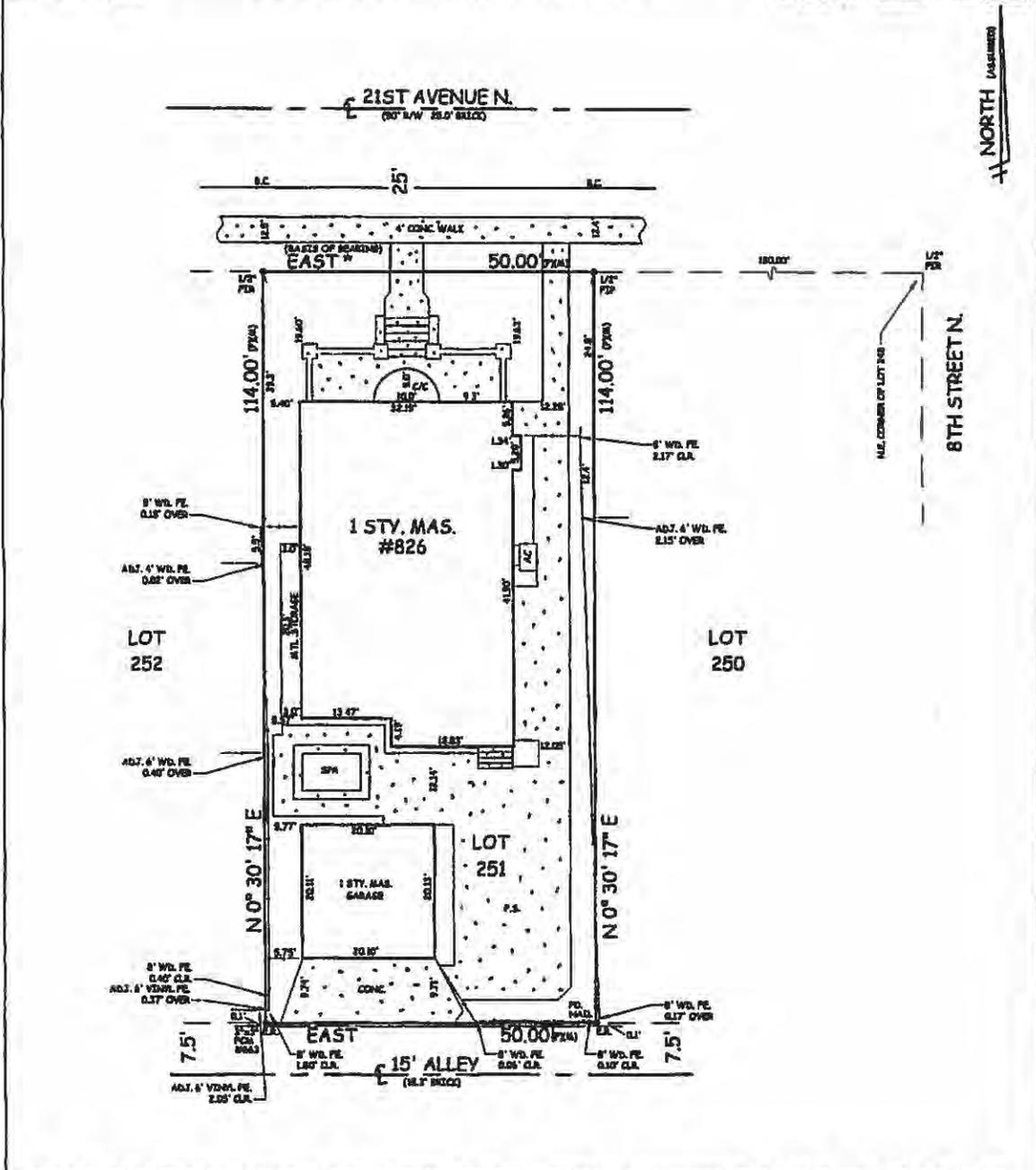
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services
Department
Case No.: 18-54000096
Address: 826 21st Avenue North



| | | | |
|------------------------------|--|--------------------|--------------------|
| JOB NO.: 181812 | MURPHY'S LAND SURVEYING, INC. PROFESSIONAL LAND SURVEYORS 5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM | L.B. #7410 | |
| DRAWN BY: MRB | | CHECKED BY: EOM | PH. (727) 347-8740 |
| DATE OF FIELD WORK: 10/09/18 | | FAX (727) 344-4840 | |

CERTIFIED TO: William Hawkins

SCALE: 1" = 20' Survey not valid for more than one (1) year from date of field work. SEC. 18 TWP. 31 S. RGE. 17 E.



A BOUNDARY SURVEY OF: Lot 251, REVISED MAP OF SPRING HILL, as recorded in Plat Book 5, Page 57 of the Public Records of Pinellas County, Florida.

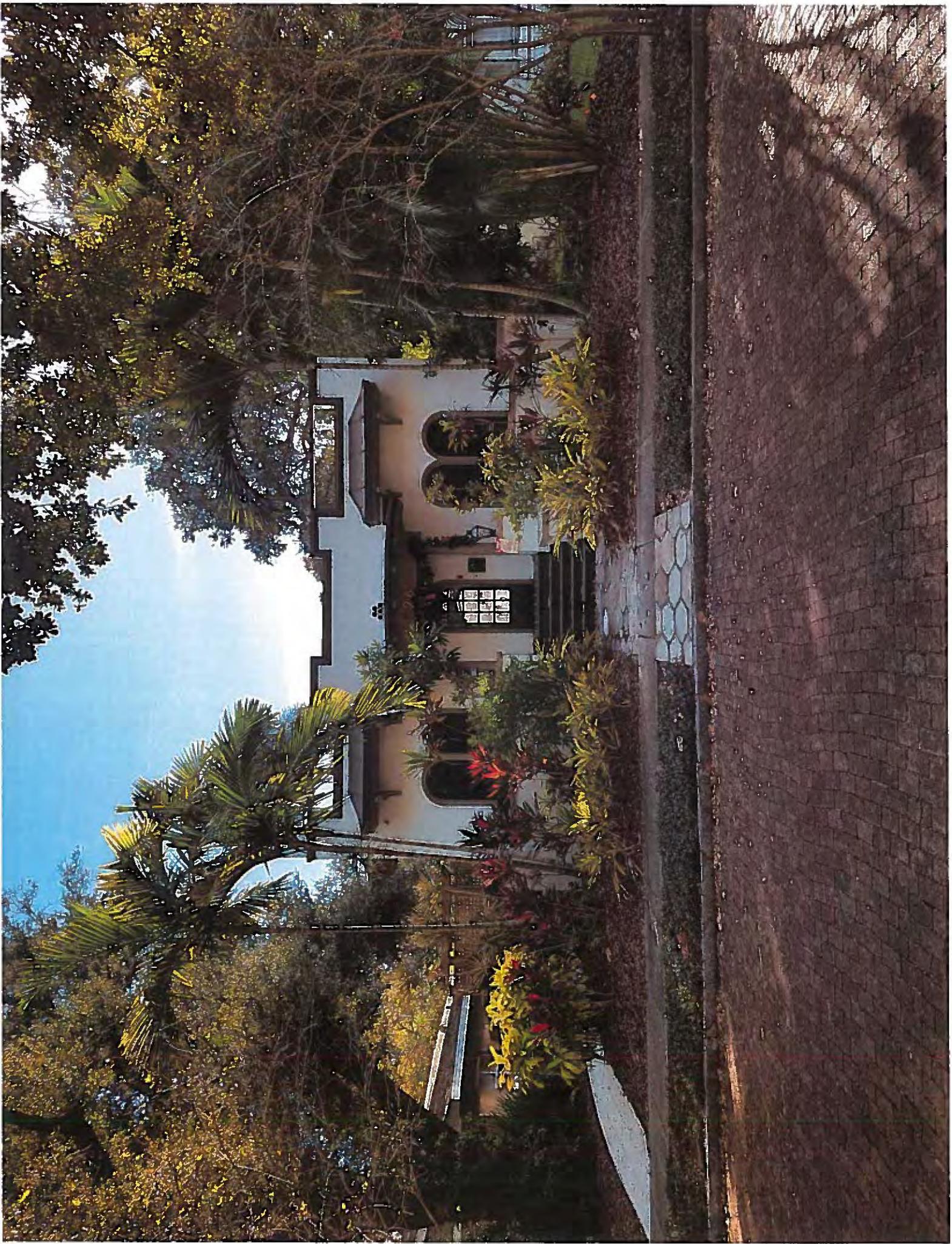
According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in Flood zone: X Comm. Panel No.: 125148 0217 G Map Date: 9/03/03 Base Flood Elev.: NA

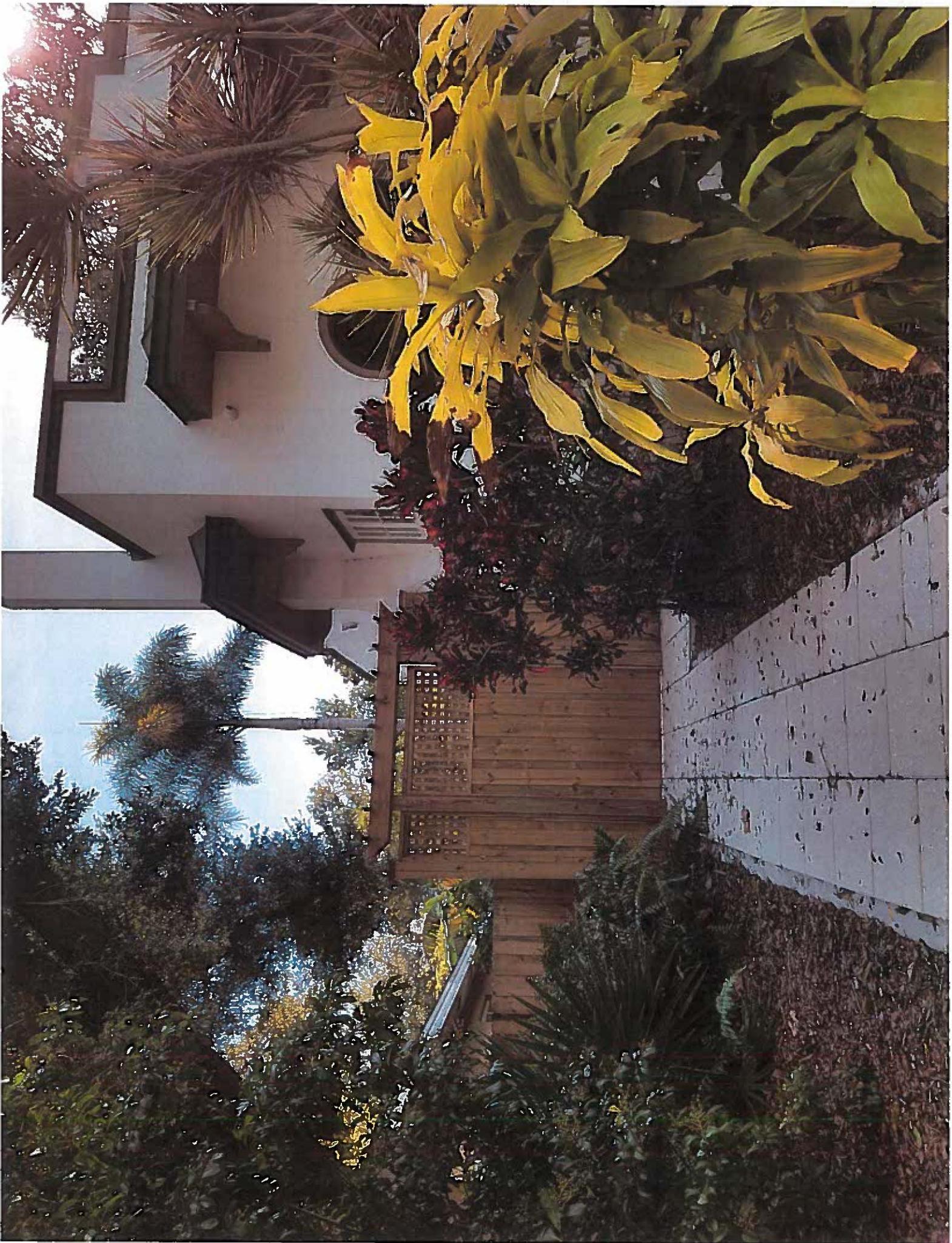
FOR THE EXCLUSIVE USE OF THE HEREIN PARTIES, I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH BASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LAND OR ON THE SURFACE OF THE LAND AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY (OWN) KNOWLEDGE AND BELIEF. UNDERSTANDING POLICIES AND RESTRICTIONS, IF ANY, AND NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THE COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNDER ANY CIRCUMSTANCES WITH UNDISCLOSED REAL REASONS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

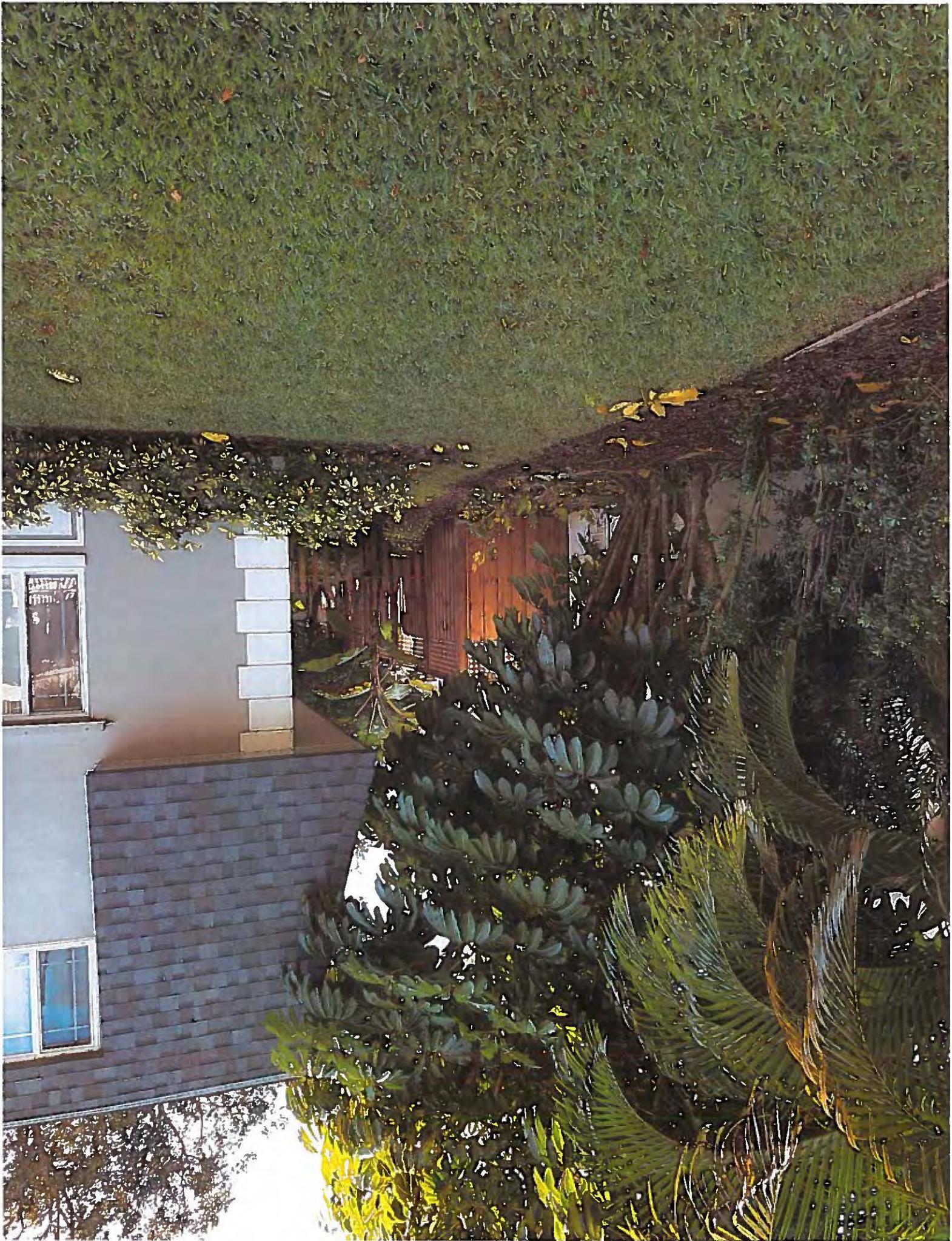
* BEARINGS SHOWN ARE ASSUMED

| | | | | | | |
|---|---|--|---|---|---|---|
| LEGEND: P.F.P. - Poured Iron Pipe F.C.M. - Poured Concrete Monument F.I.R. - Poured Iron Rod C.L.R. - SET FROM ROAD 1/2" LB #10 P.R.C. - POINT OF REVERSE CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE P.F.L. - FINISHED FLOOR ELEVATION P.P.M. - PERMANENT REFERENCE MONUMENT M.A.V.D. - NORTH ASSUMED VERTICAL DATUM OF 1988 | P.L. - POLY N.A.D. - NAIL AND DISK P.O.L. - POINT ON LINE P.C. - POINT OF CURVATURE P.T. - POINT OF TANGENCY P.I. - POINT OF INTERSECTION J.C. - FENCE F.L. - FENCE C.L.F. - CHAIN LINK FENCE A.L. - ADJACENT FENCE ADJ. - ADJACENT | R. - RADIAL A. - ARC C. - CHORD Δ - DELTA R.W. - RIGHT OF WAY # - NUMBER M.M. - MASONRY F.M. - FRAME G.I. - GRATE INLET C.B. - CATCH BASIN F.H. - FIRE HYDRANT | M.S. - METAL SHEED A.L.M. - ALUMINUM W.H. - WATER HEATER P.S. - PATIO STONE C.P. - CARPORT P.L. - PLANTER B.C. - BACK OF CURB E.P. - EDGE OF PAVEMENT E.R. - EDGE OF ROAD E.W. - EDGE OF WATER T.O.B. - TOP OF BANK | W.W. - WOOD WALL C. - CENTERLINE R.W. - RIGHT OF WAY P. - PLAT C. - CALCULATION C2 - CURB C4 - MEASURED N. - NORTH S. - SOUTH E. - EAST W. - WEST | E.M.T. - BASEMENT A.H. - HANDLE C.C. - CONCRETE C.P.S. - CONCRETE PATIO STONE C.C. - COVERED CONCRETE W.D. - WOOD B.L. - BLOCK S.W. - SEAWALL A.S.P. - ASPHALT U.T.L. - UTILITY D.R. - DRAINAGE | C.L. - OVERPASS G.A.L. - GARAGE C.I.W. - COVERED WOOD C.P.S. - CONCRETE PATIO STONE C.C. - COVERED CONCRETE A.C. - AIR CONDITIONER S.P. - SCREENED PORCH O.P. - OVERHEAD POWER LINES P.P. - POWER POLE L.P. - LIGHT POLE |
|---|---|--|---|---|---|---|

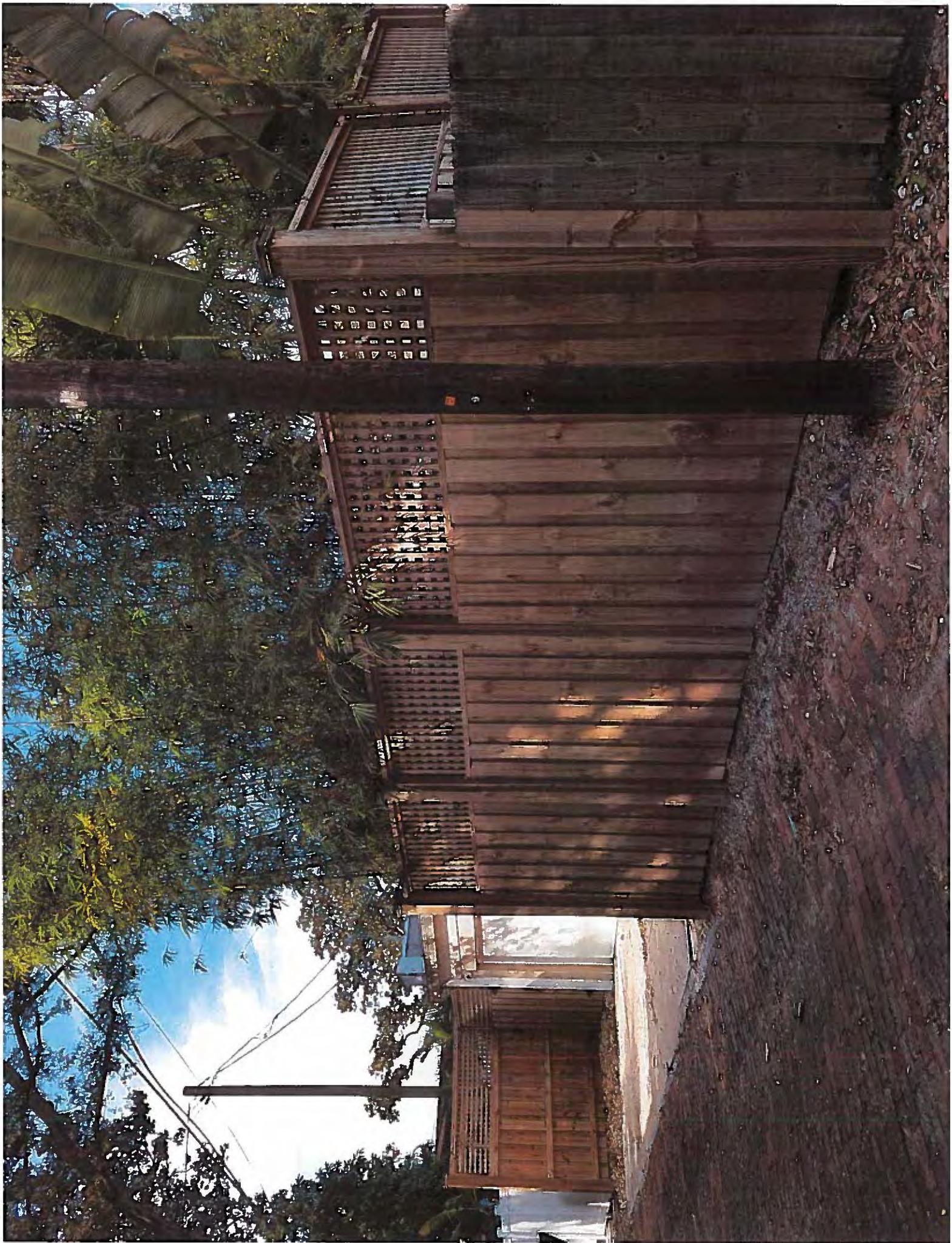
EDWARD D. MURPHY REG. P.L.S. # 6333

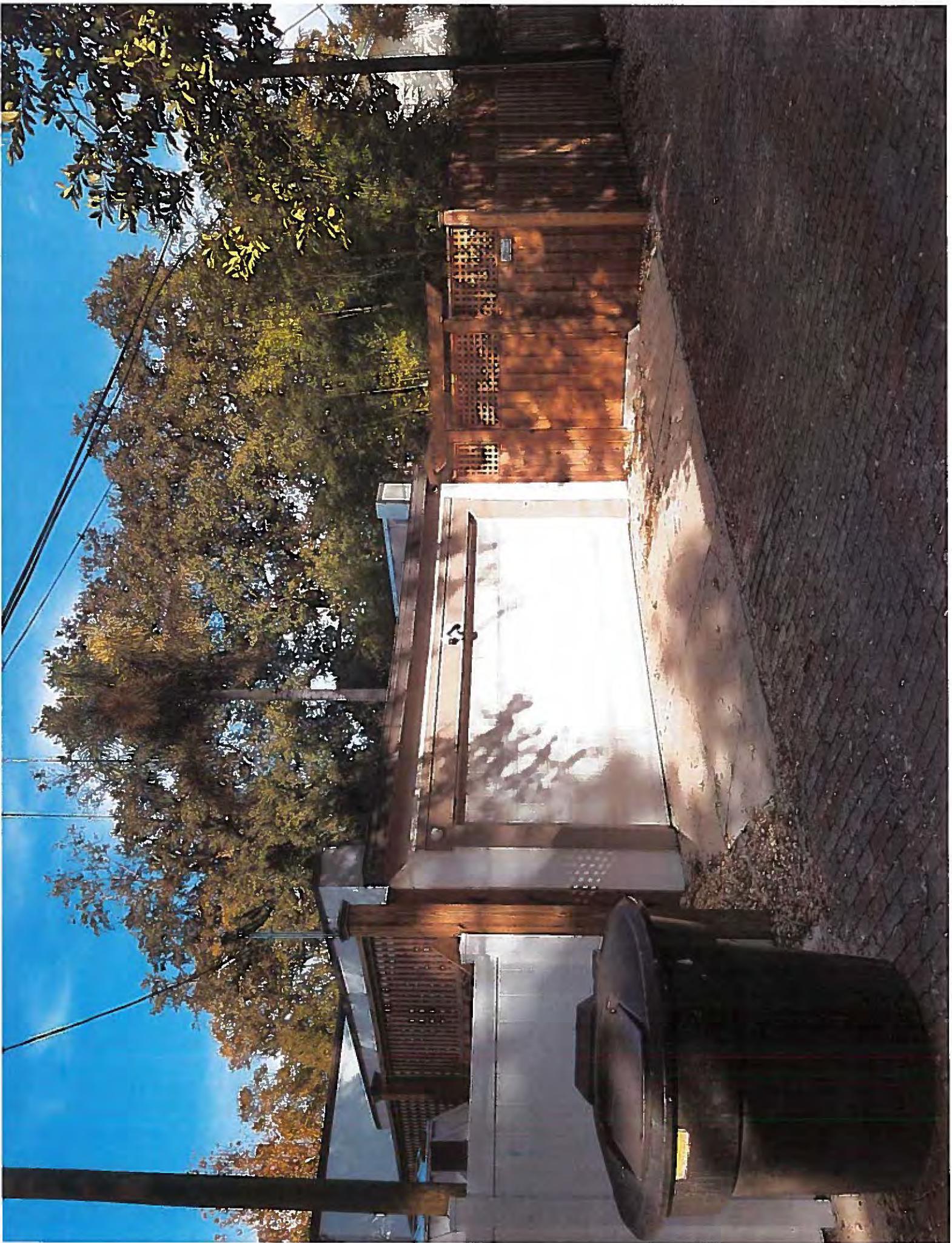














VARIANCE

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 be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

| APPLICANT NARRATIVE | |
|--|------------------|
| Street Address: 826 21st Ave N., Saint Petersburg, FL 33704 | Case No.: |
| Detailed Description of Project and Request: | |
| Requesting a variance that would allow the installed over-height fence lattice to remain. The fence is comprised of sections of 8' tall wood plank fencing sections that feature a 2' horizontal wood lattice mounted on top. Two 8' wide sections feature fence for the entire 8' height. The posts all feature decorative wood caps. The entry gates feature decorative wooden arbors. | |
| 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 mediterranean revival 1920's home, recently resurrected from foreclosure, severe hoarding, and extreme termites damage, is unique to the block. | |
| Two homes across the street from this property suffer disrepair and, one of them, is also a location of extreme hoarding. This beautifully renovated house represents the hope of restoring other nearby homes in this neighborhood that may appear to be in disrepair but may not need to be torn down and replaced with ill-fitting modern architecture. | |
| This house is situated 3' higher than the adjacent homes. Sight lines and window views in and out of this house leave little privacy for my neighbors and the fence helps in this regard. | |
| | |
| | |
| 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. | |
| 807 21st Ave. N. (across the street and two houses over) features a fence with lattice work mounted on top, though the fence is vinyl, not wood. | |
| 888 16th Ave. N. has an 8' wooden fence of similar construction to the fence in question, though it is wood to the top rather than a 6' fence with decorative lattice on top. | |
| 817 19th Ave. N. has a fence framed with wood at the top - reaching a height of approximately 6'. Portions have a wire type of lattice work connecting the fence and frame. | |
| | |
| | |
| | |
| 3. How is the requested variance not the result of actions of the applicant? | |
| | |
| | |
| | |
| | |
| | |

Property Information

Address: 826 21ST AVE N
SAINT PETERSBURG, FL 337043253
Location ID: 169937
Parcel Identification Nbr: 07/31/17/84888/000/2510/
Old account number: 87754170
Zoning:
Subdivision: CRESCENT LAKE NBRHD ASSN

Case General Information

Case status: AC ACTIVE
Status date: 9/24/2018
Case type: PROP PROPERTY MAINTENANCE
Reported date: 9/24/2018
Origination: CS CODES INITIATED
Default inspector: TM THAD MITCHELL 551-3171
Credit balance: .00
Disposition: Public
Pin number: 032900

Owner Information

Owner name: HAWKINS, WILLIAM J II
Address: 826 21ST AVE N
City: SAINT PETERSBURG, FL 337043253
Phone: 0
Notice: Y
Flip:

Violations

| Type | Status | Location | Quantity | Date Established | Date Resolved |
|--------------------------------|--------|----------|----------|------------------|---------------|
| FENCE, WALL, HEDGE-RESIDENTIAL | AC | | 1 | 9/24/2018 | |

Case Data

| Description | Data |
|--------------------------|---------------|
| TYPE USE | SINGLE FAMILY |
| PLAT SHEET | F-12 |
| OFFICIAL RECORDS BOOK/PA | 19170/1613 |
| CEB AGENDA ITEM NUMBER | |
| CEB ORDER DAYS | |
| CEB ORDER FINE AMOUNT/DA | |
| CEB ORDER COMPLIANCE DAT | |
| CEB ORDER MAILED DATE | |
| SPEC MAGISTRATE SCHED DA | |
| SPEC MAGISTRATE AGENDA N | |
| SPEC MAG LAST CERT LIEN | |
| SPEC MAG TOTAL CERT LIEN | |
| SPEC MAG ORDER MAILED DA | |
| CEB MEETING DATE | |
| SPEC MAGISTRATE MEETING | |

Active Inspections

(Continued)

| Type | Insp ID | Schedule Date | Date |
|-----------------------------|---|--|--|
| REINSPECTION | TM | 1/11/2019 | |
| Type | Text | | Date |
| Case narrative | September 24, 2018 2:38:01 PM ttmitche. OVERHEIGHT WOOD FENCE INSTALLED AROUND ENTIRE PROPERTY. | | 9/24/2018 9/24/2018 |
| Violation comments | FENCE,WALL,HEDGE-RESIDENTIAL | | |
| | OVERHEIGHT WOOD FENCE INSTALLED AROUND THE ENTIRE PROPERTY: SIX FEET MAXIMUM HEIGHT ALLOWED WITH THE EXCEPTION OF TWO SECTIONS OR 16 LINEAR FEET ALLOWED AT EIGHT FEET. ANY OTHER EXCEPTION MUST BE APPROVED WITH VARIANCE THRU ZONING DEPT. | | 9/24/2018 9/24/2018 9/24/2018 9/24/2018 |
| Inspection comments | | | |
| 001 - INITIAL INSPECTION | Results status INSPECTI | September 24, 2018 2:39:40 PM ttmitche. WOOD FENCE HEIGHT IS MORE THAN SIX FEET AROUND ENTIRE PROPERTY. | 9/24/2018 9/24/2018 9/24/2018 |
| 002 - REINSPECTION | Results status INSPECTI | November 5, 2018 10:15:24 AM ttmitche. RECEIVED CALL FROM OWNER(401 480-7222): VARIANCE HEARING ON SCHEDULE FOR JANUARY 2019. | 11/05/2018 11/05/2018 11/05/2018 |
| 003 - REINSPECTION | Results status INSPECTI | December 7, 2018 2:55:10 PM ttmitche. VARIANCE APPROVAL FOR PERMIT 18-54000096 PENDING, CONTINUE MONITORING. | 12/07/2018 12/07/2018 12/07/2018 |
| 004 - REINSPECTION | | | |
| Board meeting comments | | | |
| Other action comments | | | |
| 001 - RECORD CHECK | | September 24, 2018 2:48:50 PM ttmitche. OWNER OCCUPIED PROPERTY. | 9/24/2018 9/24/2018 |
| 002 - TAKE PHOTOGRAPHS | | September 24, 2018 2:49:46 PM ttmitche. FOUR PHOTOS TAKEN FOR REVIEW. | 9/24/2018 9/24/2018 |
| 003 - TELEPHONE CONVERSATIO | | October 1, 2018 12:23:36 PM ttmitche. RECEIVED CALL FROM OWNER WILL HAWKINS AT 401 480-7222: DISCUSSED OPTIONS FOR KEEPING FENCE AS INSTALLED OR HOW TO APPLY FOR VARIENCE THRU ZONING. | 10/01/2018 10/01/2018 10/01/2018 10/01/2018 |
| 004 - LETTER RECEIVED | | October 8, 2018 10:11:58 AM ttmitche. RECEIVED EXTENSION REQUEST LETTER FROM OWNER WILLIAM HAWKINS. | 10/08/2018 10/08/2018 10/08/2018 |
| Land Management information | | | |
| Legal description | | SPRING HILL REVISED | |

Prepared 12/27/18,18:58:15
Program HTDFTAL
User ID SKBOLYAR

Case Master Inquiry - (CEN200I001)
Screen detail for Program: CE CEN200I, Text
Case 18-00025574

Page 3

| Type | Text | Date |
|------------------|--------------------------------------|------|
| Lien information | (Continued) LOT 251 (SEE N18 MAP) | |



VARIANCE

NEIGHBORHOOD WORKSHEET

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

| NEIGHBORHOOD WORKSHEET | |
|--|-----------|
| Street Address: 826 21 st Ave. N. | Case No.: |
| Description of Request: Design Variance To allow overheight Fence To remain. | |
| 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: 818 21 st Av N, St Pete FL 33704 | |
| Owner Name (print): Deborah Lane | |
| Owner Signature: Deborah Lane | |
| 2. Affected Property Address: 834 21 st Ave N. St. Pete, FL 33704 | |
| Owner Name (print): Kristina Miller | |
| Owner Signature: Kristina | |
| 3. Affected Property Address: 827 20 th Ave N. St Pete, FL 33704 | |
| Owner Name (print): Blake & Lauren Segall | |
| Owner Signature: Blake Segall, Lauren Segall | |
| 4. Affected Property Address: 850 21 st av N, St. Pete, FL 33704 | |
| Owner Name (print): Jeff Pope | |
| Owner Signature: Jeff Pope | |
| 5. Affected Property Address: 853 21 st Ave N St Petersburg 33704 | |
| Owner Name (print): Sarah Richards | |
| Owner Signature: Sarah Richards | |
| 6. Affected Property Address: 835 20 th Ave N | |
| Owner Name (print): Heather Dwyer | |
| Owner Signature: Heather Dwyer | |
| 7. Affected Property Address: 829 21 st Ave N St Petersburg 33704 | |
| Owner Name (print): Chris Dalyander | |
| Owner Signature: Chris Dalyander | |
| 8. Affected Property Address: | |
| Owner Name (print): | |
| Owner Signature: | |



October 23, 2018

City of St. Petersburg
Planning and Economic Development Dept.
Development Review Services

To Whom It May Concern:

Crescent Lake Neighborhood Association has been contacted by our resident and member, William Hawkins, regarding his fence variance request. Mr. Hawkins has provided a copy of the proposed variance, neighborhood worksheet with signatures of adjacent property owners, and photographs of the fence. While we acknowledge that some of his neighbors that have signed the neighborhood worksheet in support of his variance are also members of our association, Crescent Lake Neighborhood Association, as a general policy, does not take positions on variance requests.

I can be reached at 727-914-4070 should you need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisset Hanewicz". The signature is stylized with a large, looping flourish at the end.

Lisset Hanewicz, President

Scot K. Bolyard

From: Nick Fiorentino <njf@thetampabaylawyers.com>
Sent: Thursday, December 13, 2018 7:49 AM
To: Scot K. Bolyard
Subject: 826 21st Ave N (Hawkins)

Mr. Bolyard

We have received the notice in this matter regarding a fence installation. We have reviewed all documents and also took a look at the property. We have no objection to the applicants request and in fact support their request, we see no reason why this request should be denied.

If you need further information, please do not hesitate to contact me.

Sincerely

Nicholas J. Fiorentino, Managing Member
F & G Property Holding LLC

Nicholas J. Fiorentino, Esq.
Ciarciaglino, Gell & Fiorentino, P.A.
2111 Dr. MLK Jr. St. N
St. Petersburg, FL 33704
727-898-8000(Phone)
727-345-5388 (Fax)
NJF@TheTampaBayLawyers.com

CONFIDENTIALITY NOTICE: This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without our prior permission. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, or if you have received this communication in error, please notify us immediately by return email and delete the original message and any copies of it from your computer system.

December 12, 2018

Development Review Services
City of St. Petersburg
PO Box 2842
St. Petersburg, FL 33731



RE: Case# 18-54000096 fence variance

Dear Commission Members:

We are the next door neighbors of William "Liam" Hawkins. As such, we are aware of the fencing at Liam's property and would like to express our **overwhelming support** for his fence variance. The fence is beautiful and enhances Liam's home, as well as our home, yard and neighborhood.

Liam's house is unique because it was built high above ground level with a significant crawl space, which is over three feet. Our home was built on the ground level with no crawl space, so the normal six foot fence height does not provide privacy for our adjacent homes. Prior to the new fencing, we could easily see in each other's one story homes. The two foot fence variance Liam is requesting is less than the height of the crawl space.

In addition to the brand new fencing, Liam has renovated his entire yard so it has an Asian-inspired design with pergola looking entrances, bamboo, pebble stones, hot tub and concrete pavers. If Liam were to remove the lattice fencing at the top of his fence to meet height requirements, it would genuinely diminish the distinctive appearance.

Liam has lived next door to us for several years and has continuously improved and renovated his home. He is a very considerate and caring neighbor. We respectfully request that you approve his application for the fence variance.

FYI: I work at All Children's Hospital and would have attended the hearing if my work schedule permitted. Please allow William "Bill" Venezia, who resides with me, to speak on my behalf.

Sincerely yours,

A handwritten signature in blue ink, which reads "Deborah Lane Venezia". The signature is written in a cursive style.

Deborah Lane and William Venezia
818 21st Av N
St. Petersburg, FL 33704
727-204-9339 (Cell)



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

STAFF REPORT

**DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST
 PUBLIC HEARING**

For **Public Hearing** and **Executive Action** on **January 9, 2019** beginning at 2:00 P.M.,
 Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & 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.

CASE NO.: 18-54000097 **PLAT SHEET:** F-6

REQUEST: Approval of after-the-fact variances to the required permeable green space for the front yard, the requirement for ground cover in the right-of-way, and the impervious surface ratio for all properties in the zoning district.

OWNER: Tanya and Thomas Tucker
 336 9th Avenue Northeast
 Saint Petersburg, Florida 33701

ADDRESS: 336 9th Avenue Northeast

PARCEL ID NO.: 17-31-17-04842-001-0060

LEGAL DESCRIPTION: On File

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

| Structure | Area | Required ISR | Variance | Magnitude |
|--|-------------|--------------|------------|-------------------|
| Accessory Living Area and Attached Garage | | | | |
| Lot | 7620 | .65 | .77 | .12 (18%) |
| Front Yard | 1500 | .45 | 1.0 | .55 (122%) |

BACKGROUND: The subject property is an interior lot located at 336 9th Ave Northeast in the Historic Old Northeast neighborhood. The property is 60-feet wide, and 127-feet deep and has a site area of 7,620 square feet.

The property has a zoning designation of Neighborhood Traditional Single-Family (NT-2). The maximum impervious surface ratio (ISR) permitted for NT-2 zoned properties is .65 (65%). The maximum ISR for any front yard of a NT-2 zoned property is .45 (45%). Based on the property's site area of 7,620 square feet the site is limited to a maximum of 4,953 square feet of impervious surface (i.e. building footprints, driveways, walkways, etc.).

The City does not consider artificial grass to be pervious for drainage and stormwater management purposes. As a result, it has been the City's policy to count artificial grass as impervious, similar to the way we consider crushed rock on driveways as impervious, even though they both allow some rainwater to percolate into the ground. Artificial grass is allowed on private property; however, in calculations for maximum development potential it counts towards the property's impervious surface ratio.

Section 16.40.060.2.1.2 of the Land Development Regulations requires front yards be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios and similar paved areas and non-organic mulch areas, up to a combined 45% for interior lots. The minimum percentage of pervious surfaces that this property could have in the front yard is 55%. Further, rights-of-way abutting a residential property must be maintained with a "herbaceous layer of sod or ground cover plant material". There are various trees, shrubs, and massing plants listed and described in the Land Development Regulations that are acceptable as ground cover in the front yard and right-of-way. The entirety of the front yard and abutting right-of-way contains artificial grass resulting in 100% impervious surfaces by the City's definition.

The maximum ISR for properties in NT-2 districts is .65 (65%) as described in section 16.20.010.5 of the Land Development Regulations. The applicant provided a survey of the subject property showing that of the 7,620 square feet, there is currently 1,728 square feet of permeable space. As is, the impervious surface ratio of the property is .77 (77%). The artificial grass on the property covers 1,432 square feet. If the artificial grass on the subject property is removed the ISR of the property will be .41 (41%), well under the maximum of 65%.

See attached site plan showing areas containing artificial grass, live grass, and concrete.

REQUEST:

The applicant is requesting after-the-fact approval of a variance to the requirement for herbaceous sod or ground cover in the right-of-way; the maximum impervious surfaces and required ground cover in yards abutting streets; and the maximum impervious surface ratio for properties in NT-2 zoning districts in order for the artificial grass that was installed to remain.

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

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

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

The subject property is in the North Shore National Register Historic District; however, the property is not locally designated.

b. Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.

The proposed project does not promote the established development pattern of the block face. The property exceeds the impervious surface ratio allowed by .19 (19%). The artificial grass is contrary to the existing ground cover found in rights-of-way on the block face. Additionally, a 1.0 front yard impervious surface ratio is not found on any property on the block face.

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

The existing conditions are the result of actions by the applicant.

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

The reported cost of the project was \$15,000, which would be lost by the applicant if forced to remove the turf from the property. Further, a strict enforcement of the City Code would require the applicant to replace the artificial grass with natural grass or permeable landscaping.

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;

If a literal application of the Code is used, the property owners would still enjoy the same rights as others in the zoning district who have similar lot sizes. The applicant has the ability to reduce the amount of concrete on the property and relocate the artificial grass to another area of the property in order to bring the property into compliance. Therefore, a literal enforcement of this Chapter would not result in unnecessary hardship. The applicant will still be able to utilize artificial grass as long as they comply with ISR requirements.

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

The requested variance is not necessary to make possible the reasonable use of the land. Artificial grass in the right-of-way is inconsistent with other properties in the neighborhood. The applicant meets ISR requirements for front yards by replacing the artificial grass with a herbaceous layer of sod or ground cover plant material. Some or all of the artificial grass can be moved to the interior of the site.

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

The intent of having the maximum impervious surface requirement is to improve the appearance, environment, character, and value of the City by requiring the installation of vegetation in a manner which conserves and percolates water. Implementation of these requirements potentially reduces stormwater runoff, flooding, and heat island effects. Reducing stormwater runoff is one way to protect water quality and the natural environment. Reducing flooding and the heat island effect is a key objective for making the City more liveable, pedestrian friendly, and aesthetically pleasing. The granting of this variance would not be harmonious with the purposes of promoting the public health, safety, and welfare as described in Chapter 16.

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

The granting of this variance may allow stormwater runoff and flooding to increase, and therefore, be injurious to the public welfare and to neighboring properties.

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

Within the variance narrative, the applicant describes artificial grass as a pervious surface. The applicant provided a handout from Synthetic Grass Warehouse for the Diamond Supreme Spring turf that was installed on their property. The handout claims a drainage rate of "30+ inches of rain per hour per square yard." Staff research has revealed a tendency of artificial grass to compact soil and reduce drainage rates over time. Further, pervious surfaces being defined as "herbaceous layers of sod or ground cover plant material" does more for the City than insure drainage. Natural plants transpire, resist heat buildup, and release oxygen, all of which are good for the public health, safety, and welfare. The variance narrative also states that "the only other alternative is live grass which requires water, landscaping and still looks half dead most of the time given the climate in which we live." The applicant can find various Florida-friendly alternatives to grass in Section 16.40.060.2.1.6 of the Land Development Regulations that are approved ground covers in the City.

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.*

No nonconforming uses, buildings, or structures have been utilized in Staff's analysis.

PUBLIC COMMENTS: The subject property is within the boundaries of the Historic Old Northeast Neighborhood Association. An email from the president of the neighborhood association was sent to Staff on Thursday, December 13, 2018 indicating their objection to the granting of this variance. One neighbor of the property also sent an email opposing the granting of this variance. Find these emails as attachments to this staff report. The applicant provided 6 signatures of home owners and renters nearby.

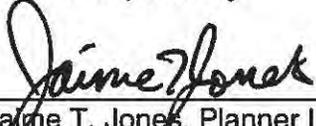
STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Development Services Department Staff recommends **DENIAL** of the requested variance.

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

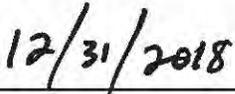
1. The maximum impervious surface ratio on the site shall not exceed 65%, all plans submitted for permitting must show all improvements on site and include the Impervious Surface Ratio.
2. The artificial grass located in the right-of-way and front yard shall be removed or relocated and a minimum of 55% of the required front yard shall be maintained as permeable landscaped or vegetative green space.
3. This variance approval shall be valid through January 9, 2021. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
4. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

ATTACHMENTS: Map, aerial, site plan, photographs, applicant's narrative, Synthetic Grass Warehouse handout, codes compliance report, opponent emails.

Report Prepared By:



Jaime T. Jones, Planner I
Development Review Services Division
Planning & Development Services Department

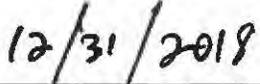


Date

Report Approved By:



Jennifer Bryla, ACIP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department



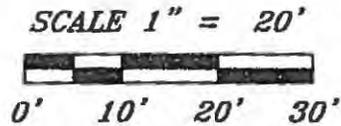
Date

JCB/JTJ:iw

BOUNDARY SURVEY

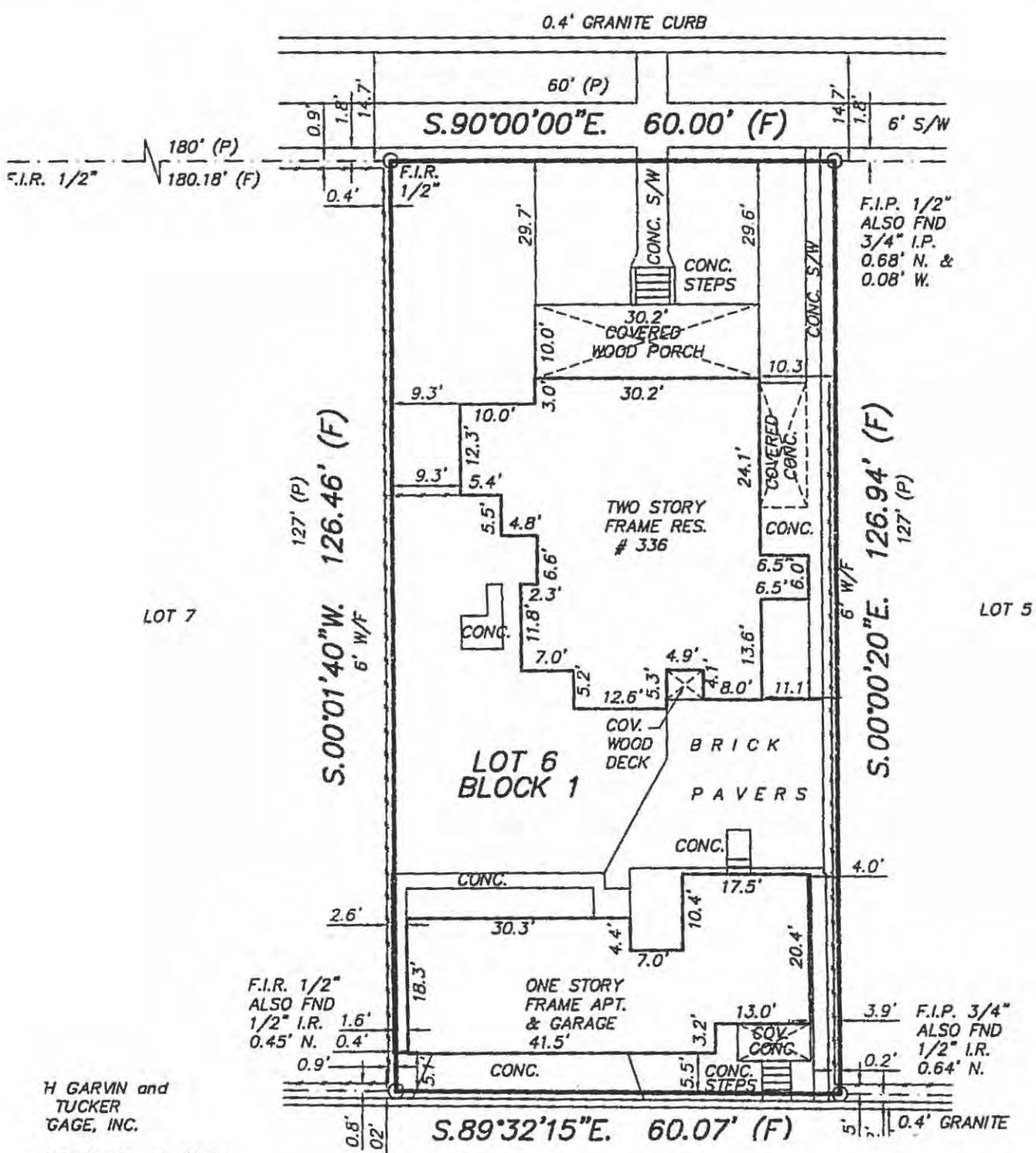
SECTION 17, TOWNSHIP 31 SOUTH, RANGE 17 EAST
PINELLAS COUNTY, FLORIDA

DESCRIPTION:
BLOCK 1, REVISED MAP OF THE BAY SHORE SUBDIVISION
PETERSBURG, ACCORDING TO THE MAP OR PLAT THEREOF
RECORDED IN PLAT BOOK 3, PAGE 41, PUBLIC RECORDS OF
PINELLAS COUNTY, FLORIDA.



9th AVENUE N.E.

30.0' ASPHALT 60.0' R/W



SCALE

H GARVIN and
TUCKER
GAGE, INC.
INSURANCE COMPANY















VARIANCE

APPLICANT NARRATIVE

Street Address: 336 9th Ave N.E.

Case No:

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

Our request has nothing to do with any unique qualities or characteristics regarding our own property. Instead it is about a variance that inhibits property owners from enhancing their own private property without any logical consideration of the uniqueness of the enhancement itself. In your system artificial grass is labeled as an impervious surface. We have provided the specs to show you that the turf I purchased is not impervious. It also states the drainage rate.

- 2. Are there other properties in the immediate neighborhood that have already been developed or utilized in the similar way?**

It is our understanding that any other properties that have attempted to develop in a similar way have been effectively stopped by the city either before or after the project is completed. During this process 33 members of the neighborhood stopped by to show their love and appreciation for our landscaping. Many members asked for samples of the artificial grass as well.

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

N/A

- 4. How is the requested variance the minimum necessary to make reasonable use of the property?**

N/A

- 5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?**

The only other alternative is live grass which requires water, landscaping and still looks half dead most of the time given the climate in which we live. We have tried for several years to maintain the grass. Examples would be hiring Truegreen, several different landscapers, and treating the lawn myself. We have had several issues with fire ants and fleas. I was rushed to the ER for having an allergic reaction to fire ants in the past. My children are unable to walk in the grass without shoes due to these issues. This is the first time in years we have been able to enjoy our lawn as a family.

- 6. In what ways will granting the requested variance enhance the character of the neighborhood?**

Our new Diamond Supreme Spring grass is permeable, safely secured to the ground, requires no water to stay green all year long and serves only to beautify and enhance the structural details of our 1915 Bungalow. As stated earlier several members of the neighborhood and board have stopped by during this process to complement our home.



Diamond Supreme Spring

A 2.50 inch pile, polyethylene monofilament with thatch construction. Designed specifically for landscape application to enhance recovery.

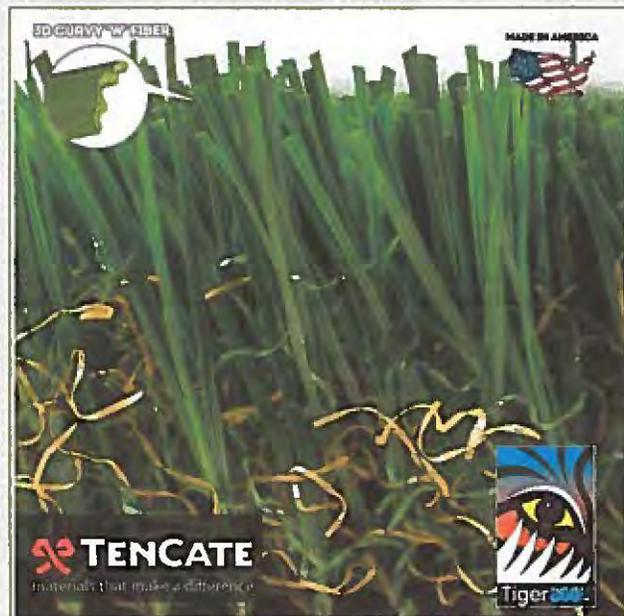
Recommended Use: Moderate Traffic

Main Application: Landscape

Colors: Field Green/Lime Green

LEAD FREE PRODUCTS:

- All of our products undergo rigorous stringent testing to ensure safety and non-toxicity.
- Our products contain no detectable traces of lead or other RCRA hazardous waste heavy metals.



Main Advantage

- Designed to truly replicate grass
- A 2.50 inch blade height helps to achieve a natural appearance
- Uniquely formulated polyurethane coated backing provides greater seam strength and durability
- Not water soluble
- Heat and frost resistant
- UV stabilized
- No harmful environmental effects
- Non-flammable, ant-acid yarn resistant to chemical attack

LEAD
FREE
PRODUCT

Yarn Characteristics

Type: Monofilament PE with Thatch
 Composition/Structure: Polyethylene
 Denier: 10,800/5,000
 Colors: Field Green/Lime Green

Manufactured Rolls

Width: 15 feet
 Length: 80 feet
 Shipping Weight: 1050 pounds*
 Roll Diameter: 24 inches
 Total Product Weight: Approximately 112 ounces per square yard

Additional Info

Recommended Maintenance:
 Rinse and groom as needed to limit matting

Drainage Rate:
 30+ inches of rain per hour per square yard

*Approximate Weight

Turf Characteristics

Pile/Face Weight: Approx. 85 ounces
 Pile Height: Approx. 2.50 inches
 Machine Gauge: 3/8 inch
 Thatch Color: Brown

Particulate Infill

Type: Quality Infill
 Weight: 3-4 pounds per square foot*
 Height: Approximately .5 inch to .75 inch
 Colors: Green, Black or Natural

Backing Characteristics

Primary Backing 1
 Composition/Structure: K29 Dual Layered Non-Expansive Backing
 Weight: 7.3 ounces per square yard*
 Finish Coating: Polyurethane 20 ounces per square yard*
 Tuft Bind: 10+ pounds

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Codes Compliance Assistance Department
Post Office Box 2842 St. Petersburg, Florida 33731-2842

VIOLATION NOTICE

October 15, 2018

THADDEUS MITCHELL
@ STPETE.ORG

GARVIN, TANYA ELIZABETH
TUCKER, THOMAS JOSEPH
336 9TH AVE NE
SAINT PETERSBURG FL 337011909

RE: Property Owner(s): GARVIN, TANYA ELIZABETH - TUCKER, THOMAS JOSEPH
Case Number 18-00027302 (VN)
336 9TH AVE NE

BAY SHORE REV
BLK 1, LOT 6

An inspection of the above mentioned property occurred on October 15, 2018. At the time of the inspection the property was in violation of the St. Petersburg City Code. The attached page(s) specifically state the violation(s) found on the property

If the violation(s) are not corrected before November 07, 2018, the City will proceed with further legal action. Further legal action may include: the issuance of a Civil Citation, a hearing before the Code Enforcement Board, or a Notice to Appear in the Pinellas County Courts. Any of these legal actions may result in a lien against your property and/or a fine up to \$500 per day.

If you have questions about this Notice of Violation, please leave a message at the telephone number provided below. I hope you can remedy the violation(s) on the property within the time provided so no further action will be necessary.

Sincerely,

THAD MITCHELL 551-3171,
Codes Investigator

CASE NUMBER 18-00027302
PROPERTY ADDRESS 336 9TH AVE NE

VIOLATION: ARTIFICIAL GRASS INSTALLED ON FRONT YARD: ROOT BEARING GROUND COVER IS REQUIRED IN FRONT YARD UNLESS OTHERWISE APPROVED BY ZONING.

ORDINANCE: CHAPTER 16, SEC. 16.40.060.2.1.2 REQUIRED FRONT AND SIDE YARDS ABUTTING STREETS MUST BE MAINTAINED AS PERMEABLE LANDSCAPED VEGETATIVE GREEN SPACE WITH THE EXCEPTION OF NECESSARY DRIVEWAYS, WALKS, PATIOS AND SIMILAR PAVED AREAS AND NON-ORGANIC MULCH AREAS, WHICH AREAS COMBINED SHALL NOT EXCEED 25 PERCENT OF THE REQUIRED YARD AREA FOR CORNER LOTS AND 45 PERCENT OF THE REQUIRED YARD AREA FOR INSIDE LOTS.

Jaime T. Jones

From: Iris L. Winn
Sent: Thursday, December 13, 2018 9:53 AM
To: Robin Reed
Cc: 'Charleen McGrath'; 'Kim Wolfe'; 'Gigi'; 'Doug Gillespie'; 'Guy Keirn'; 'Natalie DeVicente'; Jaime T. Jones
Subject: RE: 336 9th Avenue NE

Good morning Ms. Reed,

Thank you for your comments. We will keep them on file.
Jaime Jones, the staff planner in this case will review them as well.

Iris Winn
Administrative Clerk, Development Review Services
Planning & Development Services Department
City of St. Petersburg
P.O. Box 2842, St. Petersburg, FL 33731
727-892-5498 / Fax: 727-892-5557
Iris.Winn@stpete.org

Please note all emails are subject to public records law.

From: Robin Reed <rlreed@tampabay.rr.com>
Sent: Thursday, December 13, 2018 9:45 AM
To: Iris L. Winn <Iris.Winn@stpete.org>
Cc: 'Charleen McGrath' <treasurer@honna.org>; 'Kim Wolfe' <kimbyflies@yahoo.com>; 'Gigi' <reginaranieri@yahoo.com>; 'Doug Gillespie' <dgillespie602@gmail.com>; 'Guy Keirn' <gkeirn@icloud.com>; 'Natalie DeVicente' <natalie@southernrootsrealty.com>
Subject: 336 9th Avenue NE

Re: 336 9th Avenue NE

Ms. Winn,

The Historic Old NE Neighborhood Association is not in support of this variance. The code is very clear on this issue:

Required front and side yards abutting streets must be maintained as permeable landscaped vegetative green space with the exception of paved and non-organic mulched areas, which for interior lots shall not exceed 45% of the lot.

Often residents have difficulty maintaining turf grass on their properties. They want to preserve water resources, and do not want to use pesticides. In lieu of planting grass, they opt for Florida-friendly plantings. Many homes in Old NE are landscaped in this way, and the City promotes this type of planting for the very reasons mentioned above.

There is nothing unusual about the property itself that would indicate a variance is appropriate.

Approving this variance will set a precedent for future variance requests for artificial turf. We urge you to deny the variance.

Sincerely,
Robin L. Reed
HONNA Planning and Preservation Committee

<image001.png>

<image004.png> <image004.png>



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Jaime T. Jones

From: Steve Cohen <scohen@retinavitreous.com>
Sent: Tuesday, December 11, 2018 10:13 AM
To: Jaime T. Jones
Subject: Re: 339 9th ave ne public hearing

Thank you.

From: Jaime T. Jones <Jaime.Jones@stpete.org>
Sent: Tuesday, December 11, 2018 8:25:23 AM
To: Steve Cohen
Subject: RE: 339 9th ave ne public hearing

Hello Steve,

Thank you for your email and phone call.

I will print out this email as an objection to approval of this variance. This will be mentioned in my staff report as an informal opponent to the granting of a variance in this case.

Thank you,

Jaime T. Jones
Planner I
City of St. Petersburg, Planning and Development Services
1 Fourth Street North, St. Petersburg, FL 33701
727-892-5096 / Fax: 727-892-5557
JTJones@stpete.org

From: Steve Cohen <scohen@retinavitreous.com>
Sent: Monday, December 10, 2018 3:05 PM
To: Jaime T. Jones <Jaime.Jones@stpete.org>
Subject: 339 9th ave ne public hearing

Dear Mr. Jones,

I tried to call today and got your machine.

I live at 265 8th Ave NE and got a notice about the plastic grass in front of 339 9th Ave NE. The grass smells a little bit, I think from animal waste and it looks a little tacky, kind of like a cheap miniature golf course. I would like to object to a variance being issued to allow for the plastic grass to stay.

I do not think I can make it to the hearing.

Is it OK to do this by email?

Thanks,
Steven Cohen
265 8th Ave NE
St. Pete, FL 33701

This email and its attachments may contain privileged and confidential information and/or protected health information (PHI) intended solely for the use of Retina Vitreous Associates and the recipient(s) named above. If you are not the recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any review, dissemination, distribution, printing or copying of this email message and/or any attachments is strictly prohibited. If you have received this transmission in error, please notify the sender immediately at 813-879-5795 and permanently delete this email and any attachments.

Your Sunshine City

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DEVELOPMENT REVIEW COMMISSION

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

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

City File: LDR 2019-01

Text Amendment: Storefront Conservation Overlay

This is a City-initiated application requesting that the Development Review Commission (“DRC”), in its capacity as the Land Development Regulation Commission (“LDRC”), make a finding of consistency with the Comprehensive Plan and recommend to City Council **APPROVAL** the following text amendments to the City Code, Chapter 16, Land Development Regulations (“LDRs”).

The purpose of this proposed text amendment is to establish an overlay reinforcing the importance of St. Petersburg’s small-scale business sector by maintaining the existing pattern of small- and medium-sized storefront widths along popular pedestrian-oriented corridors while also conserving the physical character of these special places.

APPLICANT INFORMATION

APPLICANT: City of St. Petersburg
275 5th Street North
St. Petersburg, Florida 33701

CONTACT: Derek Kilborn, Manager
Urban Planning and Historic Preservation Division
Planning and Development Services Department
One – 4th Street North
St. Petersburg, Florida 33711
Derek.Kilborn@stpete.org
(727) 893-7872

STAFF ANALYSIS

Background

St. Petersburg's downtown center has experienced a wonderful renaissance as people increasingly seek walkable, mixed-use urban districts, complete with residential opportunities supported by employment, dining, retail, and personal services. In addition to a diversity of building types and sizes, independently-owned businesses have organically evolved to become some of our community's best assets – improving the quality of life for our residents, while attracting visitors and new investors to the Sunshine City. This healthy, independent business sector supports other municipal initiatives including the expansion of jobs, shrinking economic inequality, strengthening neighborhood diversity, and encouraging sustainable living.

Starting in 2017, Mayor Rick Kriseman along with City Development Administration staff began researching tools for protecting locally-owned and independently-operated businesses. Initial research focused on the regulation of chain businesses, sometimes referred to as formula businesses, located within the downtown center and specifically along Beach Drive and Central Avenue.

Different examples from around the United States were evaluated; however, the City Administration and staff, in consultation with the City Attorney's office, concluded that the regulation of chain businesses would create legal conflicts and lead to strong challenges based on equal protection. Possible implementation of these tools was further complicated by requests to exempt certain chain businesses, such as the successful St. Petersburg start-up Kahwa Coffee Roasting Company while prohibiting similar chains, such as Starbucks. Subsequent stakeholder meetings with affected property owners yielded similar comments with suggestions to focus more on business and property owner incentives rather than outright prohibitions based on use-type.

In response to this research and feedback, a modified set of recommendations were prepared focusing on three key areas including: 1) urban design; 2) incentives and business assistance; and 3) historic conservation and legacy businesses. This application will help execute those proposals related to urban design.

Text Amendment

The proposed text amendment will create a new overlay formally titled "Storefront Conservation Corridor Overlay." This overlay will: 1) define key terms; 2) establish approved corridors; 3) establish a storefront width requirements for pedestrian level, publicly accessible storefronts; 4) establish a variance process; 5) establish design standards; and 6) authorize a parking exemption.

Applicability

The proposed overlay is not retroactively applied *meaning* compliance is only required for new construction or certain renovations. Upon establishment of a corridor, the properties within a delineated Storefront Conservation Corridor are deemed to be grandfathered; however, properties within a Storefront Conservation Corridor may not seek to increase any non-conformity, except as may be noted within the City Code section. Examples include the following:

- If windows or doors are replaced, then new windows or doors will need to meet the opacity standard which limits opaque materials to the bottom 1/3 of the window and no more than four-feet from grade. Opaque materials cannot be added to existing windows in conflict with these standards;

- If a pedestrian-oriented use occupies a tenant space, it cannot be replaced with a residential support use;
- If two small storefronts are proposed to be combined to a medium storefront, the minimum percentage of small spaces must be maintained for the block, unless a variance is granted;
- If a tenant space located on the ground floor contains a primary entrance facing the corridor, the entrance cannot be removed;
- Exterior finish and façade materials cannot be added to an existing tenant space if it is not consistent with the overall design and façade of the overall building.

Definitions

The proposed text amendment includes definitions for several key terms including: 1) storefront, generally; 2) “small” storefront width; 3) “medium” storefront width; 4) “large” storefront width; and 5) corridor. Expanded definitions are described below and included in the attached.

Establish Approved Corridors

This application proposes the text by which storefront spaces shall be regulated, but it also proposes establishment of geographic areas, referred to as corridors, where the standards shall be applied. Within this application, the City is proposing creation of four distinct corridors. These corridors include: 1) *Beach Drive*, extending from 5th Avenue North to 1st Avenue South; 2) *Central Avenue, Downtown East*, extending from Beach Drive to Dr. Martin Luther King Jr. Street; 3) *Central Avenue, Downtown West* extending from Dr. Martin Luther King Jr. Street to 18th Street; and 4) *Grand Central*, extending from 18th Street to 31st Street. In the future, new corridors may be considered for addition to the overlay. The addition of a new corridor will require City Council to initiate the request, followed by a public hearing review with the Community Planning and Preservation Commission (“CPPC”) and City Council.

Storefront Width for Pedestrian Level, Publicly Accessible Storefronts

Storefront widths help define the character of place as one moves throughout the designated corridors. To conserve the character of these places, the percentage of existing small (0- to 20-feet in width), medium (21- to 40-feet in width), and large (more than 40-feet in width) storefronts for the corridor shall be established by averaging all storefront widths throughout the corridor. The percent distribution of storefront types throughout the corridor shall then be applied on a block-by-block basis, as noted in the proposed ordinance. This proposal is unique to St. Petersburg, allows flexibility as individual blocks evolve over time, and is based entirely on the historic and existing character of each corridor. During the preliminary research for this text amendment, City staff collected storefront width data for each property within the proposed corridors. This data was then analyzed to determine the prescribed balance of small, medium, and large storefronts.

The storefront width for pedestrian level, publicly accessible storefronts is applicable along the ground floor of those portions of the building fronting towards the designated corridor. When located on the second floor or above, or when located along a rear alley or roadway, storefront widths do not apply. Illustrations are included within the ordinance to demonstrate this point.

Finally, this text amendment relates to the interior width of individual tenant spaces, which is distinct from the physical design of the front façade of the building. The goal of this initiative is to preserve the existence of small- and medium-sized tenant spaces for St. Petersburg’s smaller businesses; the design of recessed

doorways and activated entrances when applied to a single tenant, while encouraged, will not achieve the intended goals if the single tenant is taking up large segments of a corridor.

Use and Design Standards

Use and design standards are included to protect the pedestrian character of the corridors. While most of these standards are already required throughout the existing downtown center, they are included here for any corridors located outside of the *Downtown Center* zoning categories.

Minimum Number of Parking Spaces and Vehicle Access

Where an individual tenant space facing the corridor measures 20-feet or less in width and 3,000 square feet or less in gross floor area, there shall be no required on-site parking. This is designed to incentive the retention and provision of small storefronts by off-setting the high cost of parking; current estimates for structured parking are more than \$20,000 per parking space.

For example, where qualified ground floor uses exceed 20 percent of the proposed building square footage, then a proposal for “retail sales and service” in the following corridors will be calculated as follows:

| Beach Drive; Central Avenue, Downtown East; and Central Avenue, Downtown West | |
|---|--|
| Retail Sales and Service | One (1) parking space-per-500 square feet ¹ |
| 3,000 square foot tenant space | Zero (0) parking spaces required |
| 4,000 square foot tenant space | Eight (8) parking spaces required |

¹ Existing regulations.

| Grand Central | |
|--------------------------------|--|
| Retail Sales and Service | One (1) parking space-per-300 square feet ¹ |
| 3,000 square foot tenant space | Zero (0) parking spaces required |
| 4,000 square foot tenant space | 13 parking spaces required |

¹ Existing regulations.

To preserve the pedestrian character of the corridor, there shall be no new curb cuts to the corridor. All access shall be from the alleys or secondary, side streets. Further, any proposed construction that is subject to redevelopment criteria may trigger removal of existing curb cuts on the corridor if alley or secondary street access is available. For example, if a property and land is valued at \$250,000 or greater by the Pinellas County Property Appraiser, and the value of the improvements exceeds 25% of the appraised value, then the existing curb cut would need to be removed, as long as access to the existing parking spaces could be provided via a side street or alley.

Variances

The standards include a variance option to accommodate unique and unanticipated situations. Where variances are requested, the Development Review Commission (DRC) will consider whether the request is compatible with the intended goals for promoting diversity and variety of highly active pedestrian oriented commercial uses. Criteria shall include evaluating the availability of other similar uses within the corridor and surrounding neighborhood and whether the proposed variance is helpful to preservation of the character of the subject block and larger corridor.

Consistency and Compatibility (with Comprehensive Plan)

The following objectives and policies from the City's Comprehensive Plan are applicable to the attached proposal:

Vision Element:

- V1.1 - Development decisions and strategies shall integrate the guiding principles found in the Vision Element [Citizen-Based Themes] with sound planning principles followed in the formal planning process.
 - *Quality of Life Mission Statement:* St. Petersburg will ensure its future as an outstanding community to live, work, play and learn. This qualitative approach will form a model sustainable city that achieves social, environmental and economic fairness and mutual success. The best traditions of the City shall be preserved and enhanced while creating new traditions and a strengthened quality of life for all.
 - Likes: Unique Sense of Place, Diversity, Neighborhood Identity, Sense of Urban and Natural Beauty, Small Town/Family Focus, Historic Preservation, Neighborhood friendly schools, Celebration of Community, Access to the waterfront.
 - *Economic Development Mission Statement:* St. Petersburg shall be a community of economic diversity, strength and self-sufficiency, resulting in a growth economy. Mixed use centers shall be vital with service, professional and technology businesses that provide economic stability. All areas of the city make meaningful and stable economic contributions as well as manifesting a beautiful built environment. Economic initiatives shall be prioritized and executed based on creating partnerships and social equity.
 - Likes: Recent downtown reinvestment, active downtown after 5 PM, new housing choices such as renovated apartments and new townhomes, city incentives to local businesses, city assistance to local artists, low unemployment, tourism, unique identity from Tampa.
 - Dislikes: Lack of progress in some areas, too many low paying jobs, not enough higher paying jobs, abandoned shopping centers, lack of clear city plan for many key areas such as downtown, inferiority complex with Tampa.
 - Results of a successful 2020 Vision include:
 - Long range comprehensive redevelopment strategy that identifies the economic landscape, future opportunities, and marketing approaches.
 - Develop diverse and independent economic base.
 - Re-emergence of locally owned/niche business districts.
 - Socio/cultural/economic integration.
 - Center and Corridor' re-investment – residential and commercial mixed use.
 - Successful Southside reinvestment.
 - Economically successful arts community.

Land Use Element:

- LU3.18 - All retail and office activities shall be located, designed and regulated so as to benefit from the access afforded by major streets without impairing the efficiency of operation of these streets, and with proper facilities for pedestrian convenience and safety.
- LU21.1 - The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan

PUBLIC ENGAGEMENT and INPUT

At the outset of this initiative in 2017, the Mayor’s office and City Development Administration convened an “Independent Corridor Roundtable” comprised of individuals from associated organizations representing businesses, business and neighborhood associations, property owners, and commercial real estate. Since that time, stakeholders continued their engagement with the City on this important issue.

More recently, the proposed elements of this *Storefront Conservation Corridor Overlay* were introduced at a special event hosted by Keep St. Pete Local on October 3, 2018. A public open house was later hosted by City Staff on November 5, 2018. At this open house, City Staff introduced the framework of the proposed overlay. The meeting was well attended and included local media. Other stakeholder meetings have been attended by City Staff, including the Chamber of Commerce’s Housing, Land Use, and Development Task Force.

On January 8, 2019, an open house will be held at The Greenhouse. All property owners within the proposed corridor were sent direct mail invitations using the contact information on record with the Pinellas County Property Appraiser’s Office. Comments provided by attendees will be presented to the Development Review Commission (“DRC”) as part of the public hearing deliberation on January 9, 2019.

On January 31, 2019, a public information workshop will be held with the *City Council* who shall be meeting as the *Committee-of-the-Whole*. This is a public workshop to further discuss the details of the proposed plan. Comments provided by the DRC will be presented for the committee’s consideration and discussion.

The adoption public hearings have been tentatively set and are subject to change based on the outcomes of the DRC hearing and Committee-of-the-Whole workshop. Tentative dates are February 7, 2019 for the City Council first reading followed by an adoption public hearing on February 21, 2019.

RECOMMENDATION

City Staff recommends the DRC make a *finding of consistency* with the City’s Comprehensive Plan.

HOUSING AFFORDABILITY IMPACT STATEMENT

**City of St. Petersburg
Housing Affordability Impact Statement**

Each year, the City of St. Petersburg receives approximately \$2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that *increase the cost of housing construction, or of housing redevelopment*, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1– June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

I. Initiating Department: Planning & Development Services Development

II. Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2019-01).

III. Impact Analysis:

A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

No X (No further explanation required.)
Yes Explanation:

If Yes, the **per unit cost increase** associated with this proposed policy change is estimated to be:
\$ _____.

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

No X (No further explanation required)
Yes Explanation:

IV: Certification

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community’s ability to provide affordable housing, please explain below:

CHECK ONE:

- The proposed regulation, policy, procedure, or comprehensive plan amendment will **not** result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)



Manager, Urban Planning and Historic Preservation Division (signature)

Date

OR

- The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance *will increase housing costs* in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

Manager, Urban Planning and Historic Preservation Division (signature)

Date

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development

DRAFT TEXT AMENDMENT

SECTION 16.30.095. – STOREFRONT CONSERVATION CORRIDOR

Sections:

16.30.095.1. - Applicability.

This section applies to any property within a delineated Storefront Conservation Corridor. This section is not retroactively applied. Upon establishment of an Overlay Corridor, the properties and structures within a delineated Storefront Conservation Corridor are deemed to be grandfathered with respect to the standards and regulations set forth in this section. However, properties within a Storefront Conservation Corridor may not seek to increase any non-conforming land use, and no structure or tenant space may be enlarged, altered or changed in a way which increases its nonconformity except as may be allowed by this section.

16.30.095.2. - Purpose.

The purpose of this overlay is to reinforce the importance of St. Petersburg's small-scale business sector by maintaining the existing pattern of small- and medium-sized storefront widths along popular pedestrian-oriented corridors, while also conserving the physical character of these special places. The following regulations shall be in addition to the zoning district regulations, and where there is conflict this section shall apply. Additional Overlay Corridors may be added to this section.

16.30.095.3. - Definitions

For the purposes of this section, the following terms and definitions apply:

- 1) *Storefront, Generally* – A room or set of rooms, making up a tenant space, and collectively facing the street on the ground floor of a commercial or mixed-use building.
- 2) *“Small” Storefront Width* – Tenant spaces measuring up to 20-feet in width. This is the most common range for tenant spaces developed within St. Petersburg's traditional commercial corridors. Small storefront widths shall be required within the delineated corridors.
- 3) *“Medium” Storefront Width* – Tenant spaces measuring more than 20-feet in width and up to 40-feet in width. The evolution of commercial activity sometimes requires larger footprints, especially restaurants. This is most commonly observed where two, traditionally small storefront widths have been combined to create a single, 40-foot wide tenant space.
- 4) *“Large” Storefront Width* – Tenant spaces measuring more than 40-feet in width. The most common form of storefront width in contemporary construction. Where large storefront widths have the potential to host regional assets such as museums activating a pedestrian-oriented corridor, they can also be occupied by passive land uses and can create lengthy sidewalk zones void of activity along the streetscape. Large storefront widths facing the delineated conservation corridor shall be minimized within the corridors.

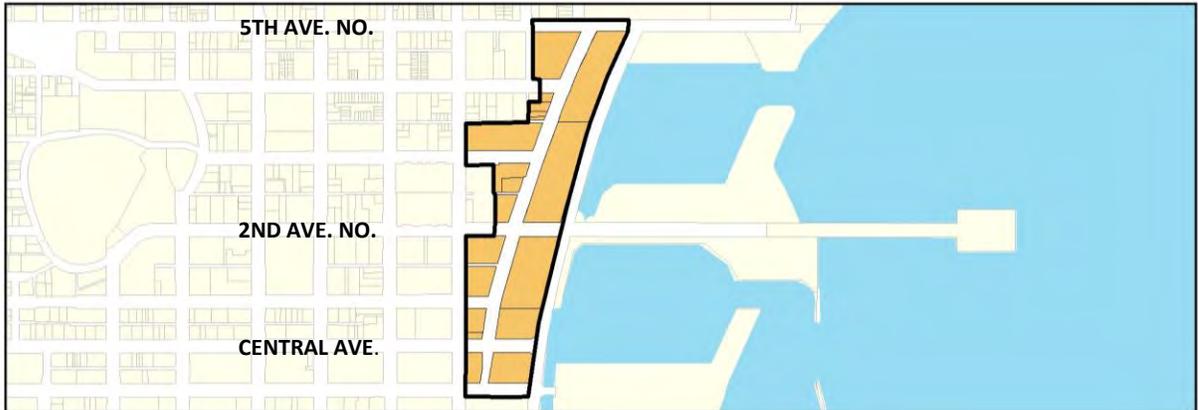
5) *Corridor* – A collection of parcels with frontage to the primary roadway (street or avenue) identified in the description and for which the overlay regulations apply. A corridor does not include those parcels adjacent to the primary delineated roadway with frontage to cross streets or alleys.

16.30.095.4. - Establishment of an Overlay Corridor.

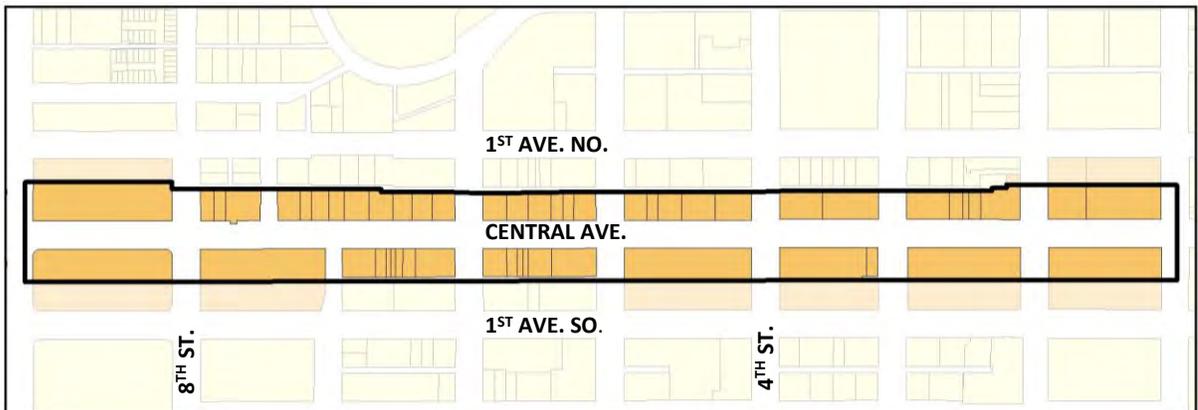
- A. Procedures. Establishment of a corridor shall only be initiated by Resolution of the City Council.
1. Commission review. Upon passage of a Resolution by the City Council, the POD shall prepare an application and report to the commission designated in the Decisions and Appeals Table. Notice of the public hearing and notice to the owner(s) shall clearly state the boundaries for the proposed corridor and notice shall include mailed notice to the owner. After evaluating the testimony, evidence, and other material presented to the commission, the commission shall recommend approval, denial, or approval with modifications of the application.
 2. City Council review. The City Council shall schedule a public hearing on an ordinance for the proposed corridor within 60 days of the commission recommendation. Notice of the public hearing and notice to the owner(s) shall clearly state the boundaries for the proposed local landmark and notice shall include mailed notice to the owner. After evaluating the testimony, evidence, and other material presented to the Council, the Council shall approve, deny, or approve with modifications the commission recommendation. If the commission recommends against establishment of the corridor, then a supermajority vote of the Council is required to reverse the commission recommendation and approve the application.
- B. Minimum District Size. The boundary shall include a minimum of one roadway segment containing two opposing block faces, except as noted. The corridor shall be easily identified with characteristics including, but not limited to, geography, neighborhood or business association boundaries, building typologies, and the design of storefronts and adjoining public rights-of-way.
- C. Zoning Districts. The corridor is a zoning overlay and shall overlay all other zoning districts within its boundaries. Any uses permitted in the zoning district shall be permitted subject to all provisions applicable to the zoning district.
- D. Amendments and Rescissions. A corridor may be amended or rescinded through the same procedure utilized for the original establishment of the corridor.

16.30.095.5. – Approved Corridors.

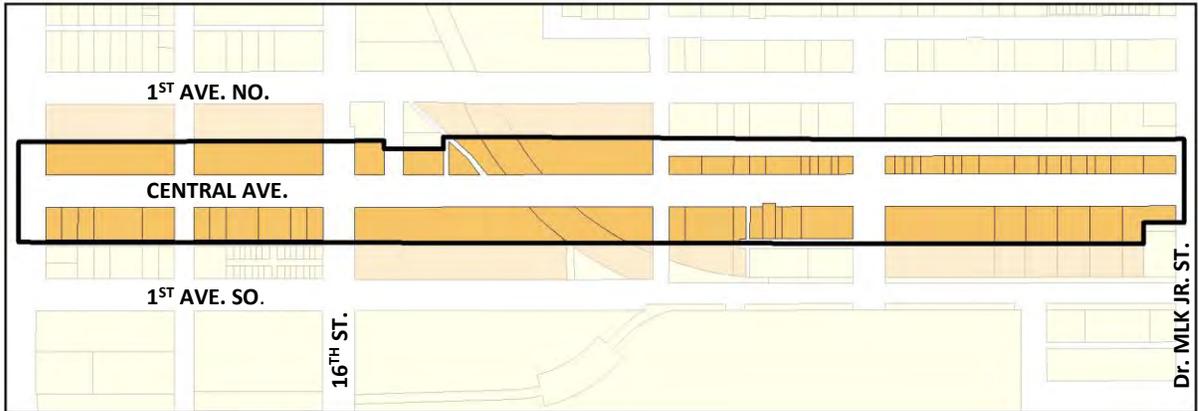
- A. Beach Drive. Beach Drive shall be the delineated corridor extending from 5th Avenue North to 1st Avenue South. This corridor was established on [date], 2019.



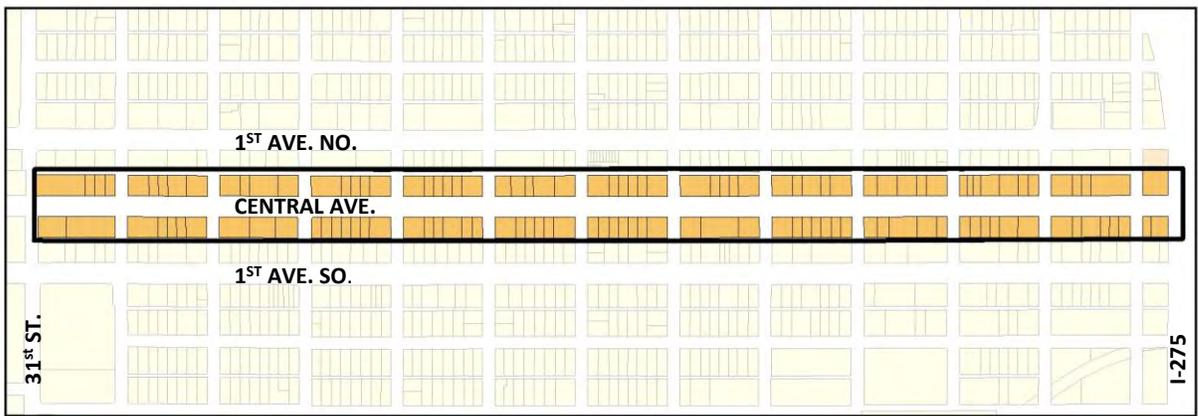
- B. Central Avenue, Downtown East. Central Avenue shall be the delineated corridor extending from 1st Street to Dr. Martin Luther King Jr. Street. This corridor was established on [date], 2019.



- C. Central Avenue, Downtown West. Central Avenue shall be the delineated corridor extending from Dr. Martin Luther King Jr. Street to 18th Street. This corridor was established on [date], 2019.



- D. Grand Central. Central Avenue shall be the delineated corridor extending from 18th Street to 31st Street. This corridor was established on [date], 2019.



16.30.095.6. - Storefront Width for Pedestrian Level, Publicly Accessible Storefronts

Storefront widths help define the character of place as one moves throughout the delineated corridors. To conserve the character of these places, the percentage of existing small, medium, and large storefronts for the corridor shall be established by averaging all storefront widths throughout the corridor. The percent distribution of storefront types throughout the corridor shall then be applied on a block-by-block basis within the applicable corridor as follows:

No. of *small* storefronts on block / no. of total storefronts on block = total percent (shall comply with minimum)

No. of *large* storefronts on block / no. of total storefronts on block = total percent (shall not exceed maximum)

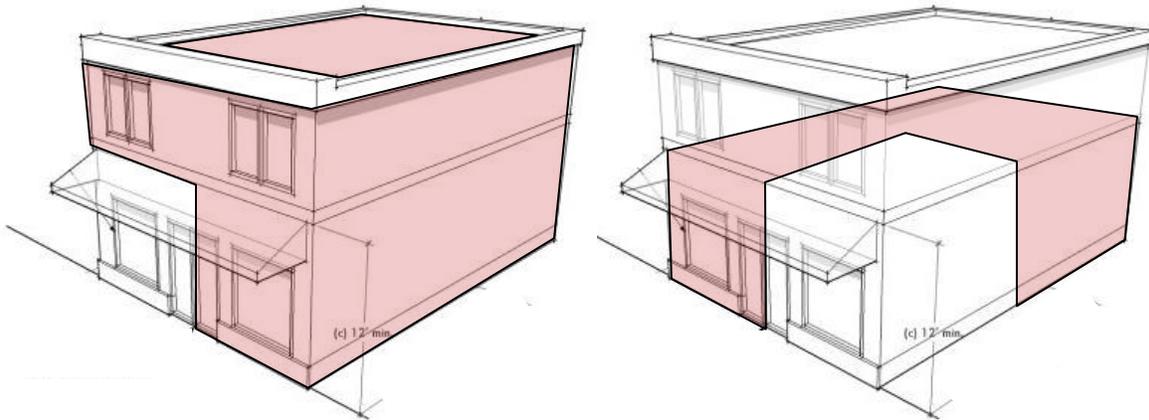
| BEACH DRIVE | | | |
|--|-------------------------|--------------------|------------|
| Type | Storefront Width (Feet) | No. of Storefronts | |
| | | Minimum | Maximum |
| Small | Zero to 20-feet | 20% | No maximum |
| Medium | 21- to 40-feet | No minimum | 80% |
| Large | More than 40-feet | No minimum | 35% |
| Note: Storefront width regulations shall apply only along the west face of the corridor. | | | |

| CENTRAL AVENUE, DOWNTOWN EAST | | | |
|--|-------------------------|--------------------|------------|
| Type | Storefront Width (Feet) | No. of Storefronts | |
| | | Minimum | Maximum |
| Small | Zero to 20-feet | 45 % | No maximum |
| Medium | 21- to 40-feet | No minimum | 55 % |
| Large | More than 40-feet | No minimum | 19 % |
| Note: Parcels located between 6 th Street and 8 th street shall be considered one block. | | | |

| CENTRAL AVENUE, DOWNTOWN WEST | | | |
|-------------------------------|-------------------------|--------------------|------------|
| Type | Storefront Width (Feet) | No. of Storefronts | |
| | | Minimum | Maximum |
| Small | Zero to 20-feet | 35% | No maximum |
| Medium | 21- to 40-feet | No minimum | 65% |
| Large | More than 40-feet | No minimum | 25% |

| GRAND CENTRAL | | | |
|---------------|-------------------------|--------------------|------------|
| Type | Storefront Width (Feet) | No. of Storefronts | |
| | | Minimum | Maximum |
| Small | Zero to 20-feet | 45% | No maximum |
| Medium | 21- to 40-feet | No minimum | 55% |
| Large | More than 40-feet | No minimum | 30% |

The storefront width for pedestrian level, publicly accessible storefronts is only applicable along the ground floor of those portions of the building fronting towards the corridor. When located on the second floor or above, or when located along a rear alley or roadway, storefront widths do not apply.



16.30.095.7. - Use Standards.



Appropriate nonresidential, pedestrian-oriented uses shall include, but not be limited to, retail sales, service establishments, museums, restaurants and bars, hotel lobbies, residential lobbies, and studios. Such pedestrian-oriented uses shall be incorporated into no less than 90 percent (%) of the linear building frontage. This does not include residential support uses (e.g., fitness centers, leasing offices, residential gathering spaces).

16.30.095.8. - Design Standards.

- A. The exterior design of individual storefront spaces shall be consistent with the overall architectural style, materials, and finish of the building.
- B. Each tenant space located on the ground floor shall include a primary entrance facing the corridor.
- C. Storefront doors shall be transparent.
- D. For all new construction, the first floor of a building shall be at least 12 feet in height as measured to the bottom side of the roof or the structural slab of the first floor above the ground floor.
- E. Buildings shall use expression lines within the first two floors to delineate the divisions between the base and middle or top of the building. Expression lines may include a horizontal band, projecting material, shift in vertical plane, change in building material, or other treatment. Where existing, adjacent buildings have an established expression line, minor variations to this standard will be considered.

- F. Awnings shall not be internally illuminated. For new construction, an awning or other shade device measuring at least four (4) feet in depth shall be provided alongside a minimum 50 percent of any building frontage to the corridor. Building entrances and exits, other than those used solely for emergency purposes or for deliveries, shall be located under an awning or other shade device.
- G. Window signage or opaque materials that are applied to the storefront glazing, including storefront doors, shall be limited to the bottom 1/3 of the window and shall be no more than four-feet from grade. *(add graphic illustration)*

16.30.095.9. - Parking.

Where an individual tenant space facing the corridor is equal to or less than 20-feet in width and measures 3,000 square feet or less in gross floor area, there shall be no required on-site parking. Any qualified tenant space shall be located within an approved corridor, located on the ground floor, with a storefront facing the corridor and adjoining the pedestrian sidewalk.

16.30.095.10. - Vehicular Access.

There shall be no vehicular curb cuts on the corridor. All access shall be from alleys or secondary streets. Any proposed construction which would qualify as development or redevelopment under the Landscaping and Irrigation Ordinance shall remove existing curb cuts on the corridor if alley or secondary street access is available, provided such modification does not reduce the existing number of parking spaces or create a non-conforming condition.

16.30.095.11. - Additions, Renovations, and Change of Use

Storefront width, use and design standards shall not apply to existing buildings or tenant spaces, however no structure or tenant space may be enlarged, altered or changed in a way which increases its degree of nonconformity except as may be allowed by this section.

16.30.095.12. - Variances.

Where an applicant requests variance from these standards, such consideration by the commission designated in the Decisions and Appeals Table shall include the general criteria for evaluating a variance application, plus the following factors to promote diversity and variety of commercial uses:

- 1) Availability of other similar uses within the target zone or surrounding neighborhood;
- 2) Impact of variance is non-obtrusive and helpful to preservation of the character of the subject block and larger corridor;
- 3) Distribution pattern of windows and activated doorways shall reinforce the intent of this section and aesthetic of the subject block and larger corridor; and
- 4) Pedestrian activation of the subject block by the proposed use.